



NAVAL POSTGRADUATE SCHOOL

MONTEREY, CALIFORNIA

THESIS

**MAKING THE CASE FOR HUMANITARIAN
INTERVENTION:
NATIONAL INTEREST AND MORAL IMPERATIVE**

by

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March 2015

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REPORT DOCUMENTATION PAGE

Form Approved OMB No. 0704-0188

Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instruction, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Washington Headquarters Services, Directorate for Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302, and to the Office of Management and Budget, Paperwork Reduction Project (0704-0188) Washington, DC 20503.

1. AGENCY USE ONLY (<i>Leave blank</i>)	2. REPORT DATE March 2015	3. REPORT TYPE AND DATES COVERED Master's Thesis
4. TITLE AND SUBTITLE MAKING THE CASE FOR HUMANITARIAN INTERVENTION: NATIONAL INTEREST AND MORAL IMPERATIVE		5. FUNDING NUMBERS
6. AUTHOR(S) Ryan L. Benitez		
7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES) Naval Postgraduate School Monterey, CA 93943-5000		8. PERFORMING ORGANIZATION REPORT NUMBER
9. SPONSORING /MONITORING AGENCY NAME(S) AND ADDRESS(ES) N/A		10. SPONSORING/MONITORING AGENCY REPORT NUMBER

11. SUPPLEMENTARY NOTES The views expressed in this thesis are those of the author and do not reflect the official policy or position of the Department of Defense or the U.S. Government. IRB Protocol number ____ N/A ____.

12a. DISTRIBUTION / AVAILABILITY STATEMENT Approved for public release; distribution is unlimited	12b. DISTRIBUTION CODE
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13. ABSTRACT (maximum 200 words)

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This examination of humanitarian intervention reviews the foreign policy context and debate within the U.S. government across three case studies: Rwanda, Kosovo, and Libya. Each case study reveals the role of national interest and moral imperative in driving policymakers to a tipping point at which they make the final determination to use or refrain from military force. Both national interest and the desire to end human suffering serve as incentives for intervention, and one may be stronger than the other in any given situation.

14. SUBJECT TERMS humanitarian intervention, Rwanda, Kosovo, Libya		15. NUMBER OF PAGES 87	
16. PRICE CODE			
17. SECURITY CLASSIFICATION OF REPORT Unclassified	18. SECURITY CLASSIFICATION OF THIS PAGE Unclassified	19. SECURITY CLASSIFICATION OF ABSTRACT Unclassified	20. LIMITATION OF ABSTRACT UU

NSN 7540-01-280-5500

Standard Form 298 (Rev. 2-89)
Prescribed by ANSI Std. Z39-18

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NATIONAL INTEREST AND MORAL IMPERATIVE**

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Submitted in partial fulfillment of the
requirements for the degree of

**MASTER OF ARTS IN SECURITY STUDIES
(STRATEGIC STUDIES)**

from the

**NAVAL POSTGRADUATE SCHOOL
March 2015**

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Complex considerations challenge U.S. political leaders when faced with the possibility of humanitarian intervention by means of military force. Humanitarian intervention is a delicate matter in which decision makers are constrained or compelled by circumstances of national interest and moral imperative.

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LIST OF ACRONYMS AND ABBREVIATIONS

AFP	Agence France-Presse
ANM	Atrocity News Management
APC	Armored Personnel Carrier
BBC	British Broadcasting Corporation
CNN	Cable News Network
CRS	Congressional Research Service
DOD	Department of Defense
EU	European Union
EUCOM	European Combatant Commander
FRY	Former Republic of Yugoslavia
ICISS	International Commission on Intervention and State Sovereignty
KLA	Kosovo Liberation Army
KVM	Kosovo Verification Mission
KVM	Kosovo Verification Mission
NATO	North Atlantic Treaty Organization
NATO	North Atlantic Treaty Organization
NSA	National Security Advisor
NSC	National Security Council
NSC	National Security Council
NTC	National Transition Council
OAF	Operation Allied Force
PDD	Presidential Decision Directive
PRD	Presidential Review Directive
R2P	Responsibility to Protect
RFI	Radio France International
RPF	Rwandan Patriotic Front
RTLM	Radio Télévision Libre des Mille Collines
UN	United Nations
UNAMIR	United Nations Assistance Mission for Rwanda
UNHCR	United Nations High Commissioner for Refugees

UNSC

United Nations Security Council

WTO

World Trade Organization

ACKNOWLEDGMENTS

This thesis is dedicated to my mentor and friend CDR Andrea Cameron. My intellectual and professional development would not have been the same without you in my life at the Naval Postgraduate School. Thank you for the doors you have opened up for me.

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I. INTRODUCTION

Complex considerations challenge political leaders when faced with the possibility of humanitarian intervention by means of military force. Humanitarian intervention is a delicate matter in which decision makers are constrained or compelled by circumstances of national interest and the duty to save innocent lives. Two former secretaries of state, Henry Kissinger and James Baker, stated it well in their 2011 *Washington Post* article: “Having served four U.S. presidents during a variety of international crises, we view the choice between ‘idealism’ and ‘realism’ as a false one. Just as ideals must be applied to concrete circumstances, realism requires context for our nation’s values to be meaningful.”¹

They are proposing that U.S. foreign policy decisions are always founded upon an aspect of national interest and opportunely tied to the values of American society. This phenomenon is especially true of humanitarian intervention, which Baker and Kissinger refer to as “pragmatic idealism.”² The purpose of this thesis is to understand how the United States makes the case to intervene or to refrain from humanitarian intervention in the Post-Cold War era.

Policymakers must weigh the costs and benefits when debating whether humanitarian intervention or nonintervention is in the best interest of the state. Many variables impact this process. Does the humanitarian crisis hold some strategic interest to the nation? Is the American public or Congress weary of interventions? Other factors that weigh upon the decision-making equation for humanitarian intervention include, but are not limited to, moral imperative, legitimacy, support of the international community, leadership personalities, domestic politics, media presence, and organizational interests.

The U.S. decision-making process in humanitarian interventions is contingent upon so many factors that each case must be viewed in the context of its unique circumstances. Responsibility rests with the state or group of states executing the

¹ Henry A. Kissinger and James A. Baker III, “Grounds for U.S. Military Intervention,” *Washington Post*, April 10, 2011, <http://www.henryakissinger.com/articles/wp041011.html>.

² Kissinger and Baker, “Grounds for U.S. Military Intervention.”

humanitarian intervention to justify it to both the international community and its citizens.³ National interest and moral outrage are two consistent forces present in the decision and justification process for humanitarian intervention, but their relative weights vary a good deal. The presence of one or both of these factors has the ability to sway the decision for or against intervention.⁴ This study reviews the foreign policy context and debate within the U.S. government across three case studies: Rwanda, Kosovo, and Libya. It also examines how national interest and moral outrage were apparent in each situation, in order to identify the tipping point at which policymakers made the final determination to use or refrain from military force for humanitarian intervention.

A. SIGNIFICANCE

Both NATO interventions in Kosovo and Libya have sparked debate over the compromise of sovereignty in exchange for the protection of individual rights. Shortly after Kosovo, the UN secretary general, Kofi Annan, urged the international community to reach a consensus on future interventions and cautioned, “This developing international norm in favor of intervention to protect civilians from wholesale slaughter will no doubt continue to pose profound challenges to the international community.”⁵ States, as well as the collective international community, are still wrestling with the problem of how to approach the concept of humanitarian intervention and how to establish coherent policy on it.

B. DEFINITION

Humanitarian intervention implies the use of force. It is separate from a peacekeeping mission or strictly humanitarian assistance. J. L. Holzgrefe provides a comprehensive definition of humanitarian intervention in his work about *Ethical, Legal, and Political Dilemmas*: “The threat or use of force across state borders by a state (or

³ Nicholas J. Wheeler, *Saving Strangers: Humanitarian Intervention in International Society* (Oxford: Oxford University Press, 2000), 287.

⁴ Andrew Mason and Nick Wheeler, “Realist Objections to Humanitarian Intervention,” in *The Ethical Dimensions of Global Change*, ed. Barry Holden (New York: Saint Martin’s Press, 1996), 95.

⁵ Kofi Annan, “Two Concepts of Sovereignty,” *The Economist*, September 16, 1999, <http://www.economist.com/node/324795>.

group of states) aimed at preventing or ending widespread and grave violations of the fundamental human rights of individuals other than its own citizens, without the permission of the state within whose territory force is applied.”⁶

In order to classify an intervention as humanitarian in nature, the rationale must include a moral imperative for military action. Reasons for humanitarian intervention almost always extend beyond ending human suffering, as is evident in the case studies of this thesis.⁷ Both national interest and the desire to end human suffering may present incentives for intervention and one may be stronger than the other. In some cases neither may be strong enough to motivate the use of military force, as shown by the Rwanda case study.⁸ In others, humanitarian concern provides a framework that lends credibility and moral weight to the pursuit of more traditional interests, as occurs in Kosovo and Libya.⁹

Humanitarian intervention involves the use of force, and its conduct falls under the authority of Chapter VII of the UN Charter, which requires that (except in self-defense) force be used internationally only upon UN Security Council (UNSC) authorization. In actions such as Kosovo and Libya, for which such authorization was absent, the U.S. felt an especially heavy burden to justify its actions to its own citizens and the global community, in terms of international law, ethical obligations, or political considerations.¹⁰ The decision for intervention must always be explained; however, in reality, the decision is often based upon the power relationship amongst stakeholders, and their capacity and willingness to act in given circumstances.¹¹

⁶ J.L. Holzgrefe, “The Humanitarian Intervention Debate,” in *Humanitarian Intervention: Ethical, Legal, and Political Dilemmas*, ed. J.L. Holzgrefe and Robert O. Keohane (New York: Cambridge University Press, 2003), 18.

⁷ Daniel Moran, (professor and thesis advisor, Naval Postgraduate School), in discussion with the author, November 2014.

⁸ Mason and Wheeler, “Realist Objections to Humanitarian Intervention,” 95.

⁹ Daniel Moran, (professor and thesis advisor, Naval Postgraduate School), in discussion with the author, November 2014.

¹⁰ Robert O. Keohane, “Introduction,” in *Humanitarian Intervention: Ethical, Legal, and Political Dilemmas*, ed. J.L. Holzgrefe and Robert O. Keohane (New York: Cambridge University Press, 2003), 1.

¹¹ Daniel Moran, (professor and thesis advisor, Naval Postgraduate School), in discussion with the author, November 2014.

C. BEGINNINGS OF HUMANITARIAN INTERVENTION

The 19th century British philosopher John Stuart Mill published the essay *A Few Words on Non-Intervention* addressing the ethics of intervention in the affairs of other sovereign nations. Mill criticized Britain's policymakers of his time for their self-centric speeches on England's interests and concluded pure self-interest is the worst consideration for intervention: "But of all attitudes which a nation can take up on the subject of intervention, the meanest and worst is to profess that it interferes only when it can serve its own objects by it."¹² On the contrary, he supported reasons for intervention in "the service of others" including "to intercede for mild treatment of the vanquished," and "to procure abandonment of some national crime and scandal to humanity such as the slave trade."¹³ He conceded that as a powerful and civilized state, Britain could and should intervene for the purpose of sharing its civilized ideals such as free trade and the equality of all humans.¹⁴ The same 19th century debates surrounding intervention appear in the present.

The mainstream political dialogue of the 1990s portrayed humanitarian intervention as being born from a new wave of multilateralism and from an end to the bipolar international system. The end of the Cold War certainly expanded the opportunities for U.S. intervention. However, states were using humanitarian intervention in the nineteenth century and earlier.¹⁵ Gary Bass, a firm believer that humanitarian intervention has always been an instrument of the state, describes how Theodore Roosevelt sought to protect the Cubans from Spanish atrocities and how the British intervened to end the slave trade.¹⁶ Throughout history, humanitarian intervention found a natural home among liberal democracies. These democratic forms of government exercised freedom of the press, which enabled the population to pressure government

¹² John Stuart Mill, "A Few Words on Non-Intervention" *Foreign Policy Perspectives* No. 83 (London: Libertarian Alliance, 1987), 3, <http://www.libertarian.co.uk/lapubs/forep/forep008.pdf>. (essay originally published in Fraser's Magazine, 1859).

¹³ Mill, "A Few Words on Non-Intervention," 2.

¹⁴ Mill, "A Few Words on Non-Intervention," 2.

¹⁵ Gary Bass, *Freedom's Battle: The Origins of Humanitarian Intervention* (New York: Vintage Books, 2008), 5, 13.

¹⁶ Bass, *Freedom's Battle*, 3–4.

officials into action. Bass claims the so-called cable news network (CNN) effect is a newer version of the same interaction that has occurred throughout history between the free press, public, and politicians.¹⁷ The same debates about violating sovereignty, imperialistic motivations, defense of human rights, and the influence of public opinion surrounded humanitarian intervention in the nineteenth century as they do today.¹⁸ One recurrent pattern of humanitarian intervention is the requirement for “a cold realpolitik calculation about the costs of intervening” and the “opportunistic” nature of governments in their humanitarian endeavors.¹⁹ Governments may determine humanitarian intervention is not worth the risks that accompany it. Understanding the nature of past humanitarian interventions is important because the same themes appear in present foreign policy.

D. PERSPECTIVES ON HUMANITARIAN INTERVENTION

A specific theoretical framework for humanitarian intervention is not firmly established, but scholarly works examining humanitarian intervention are abundant. A few common themes exist across the literature on humanitarian intervention: the contrast between the traditional norm of sovereignty and intervention, the legitimacy of military operations, the change in strategic environment since the Cold War, the conflicting interests of domestic politics, public opinion, and national interest. Many scholars draw upon theories of international relations, international law, and ethics as a foundation.

Humanitarian intervention is loosely codified in international law, and often the legal framework is manipulated to align with interests or is irrelevant. This thesis focuses on other political normalcies, which often prevail over a legalist framework. In some cases, the U.S. justifies humanitarian intervention as an exception to the sovereignty norm. The U.S. explains its actions as legitimate, which becomes an important determinant of international acceptance of an intervention. Legitimacy could either be

¹⁷ Bass, *Freedom’s Battle*, 7–8.

¹⁸ Bass, *Freedom’s Battle*, 5.

¹⁹ Bass, *Freedom’s Battle*, 8.

construed by adherence to international law or an established norm. Moral practice may outweigh laws.²⁰

Public opinion is another political dilemma for policymakers. The tolerance of the public either compels or constrains policymaker actions. The Bush administration refrained from threatening physical intervention in Bosnia until the media published pictures of concentration camps, which outraged the public. Approval ratings for intervention went up immediately after images hit the news.²¹ Additionally, the public is more likely to support an operation that does not require U.S. men and women on the ground in combat. Frequently, American presidents insert a national interest clause into their rhetoric on interventions. This is evident in presidential addresses leading up to interventions and may be absent in cases where the U.S. did not intervene. The national interest rhetoric may be tied to a strategic maneuver that is less visible to the public.²²

Nicholas Wheeler has been instrumental in building a foundation for the study of humanitarian intervention. In his book, *Saving Strangers*, Wheeler notes a disparity when comparing state commitment to the emerging norm of humanitarian intervention and subsequent state actions. The misalignment between state rhetoric and actual apparatuses to enforce human rights, or simply put inaction, has served as an enabler for governments to harm their own citizens. Additionally, he notes the disparity between using force in humanitarian crises and the firmly established principle on nonintervention. He proposes that some states have accepted the use of force for humanitarian intervention as an exception to the rule. Throughout seven case studies including Rwanda and Kosovo, Wheeler examines the motives of actors, legitimacy of the intervention, and final success of the operation.²³ Noting “humanitarian intervention exposes the conflict between order and justice at its starker,” he argues that the changes brought about by the emerging norm of humanitarian intervention both constrain and enable actors in the current world

²⁰ Wheeler, *Saving Strangers*, 2.

²¹ Samantha Power, *A Problem from Hell: America and the Age of Genocide* (New York: Basic Books, 2013), 276 - 79.

²² Daniel Moran, (professor and thesis advisor, Naval Postgraduate School), in discussion with the author, November 2014.

²³ Wheeler, *Saving Strangers*, 1-2.

order.²⁴ Most importantly, his work shows that legitimacy, as it pertains to humanitarian intervention, is not confined to international law, but may be determined by internationally and domestically accepted norms.²⁵ Norms have the power to constrain or compel state actors.²⁶ Wheeler argues that “a change in legitimizing principles will enable new actors that were previously inhibited.”²⁷ This does not mean that because states are no longer constrained that they will act, as shown in Rwanda.

Samantha Power, current U.S. ambassador to the UN, tells a thorough story of U.S. responses to genocide from the Holocaust to Kosovo. Her compilation, a large portion from interviews with influential policymakers, focuses on the forces at play in bureaucracy, Congress, and the administration during each of these humanitarian disasters. She also addresses how factors such as public opinion, domestic politics, and relations with allies impact the decision to intervene. Ultimately, she concludes that policymakers often knew a great deal about the horrors that were taking place but failed to act for various reasons. She determines that public opinion is slow to support intervention, and America’s leaders interpret silence from the public as indifference. Furthermore, she notes that leaders believe that the stakes will remain low by ignoring the situation, moralism is frowned upon among politicians, the U.S. has a low tolerance for placing troops on the ground, and policymakers are quick to look the other direction when vital American interests are not present. The decision to act only comes once political pressure is high enough.²⁸ In her research on Rwanda, Power discovers that domestic pressure was not strong enough to result in action, and high-level officials took intervention off the table due to lack of national interest. Her case study on Kosovo reveals the implications of President Clinton’s rhetoric to the public, historical experience in Bosnia, and American reluctance to bear casualties.²⁹

²⁴ Wheeler, *Saving Strangers*, 11.

²⁵ Wheeler, *Saving Strangers*, 2.

²⁶ Wheeler, *Saving Strangers*, 5.

²⁷ Wheeler, *Saving Strangers*, 8.

²⁸ Power, *A Problem from Hell*, XVI–XVIII.

²⁹ Power, *A Problem from Hell*, Ch12.

Critics of humanitarian intervention claim it is a mechanism for states to expand and maintain power. Tariq Ali calls NATO intervention in Kosovo, “a war for U.S. hegemony in Europe and the world.”³⁰ Noam Chomsky is doubtful that the notion of humanitarian intervention is even humanitarian at all. He claims that almost every act of state aggression falls into the category of humanitarian intervention turning to Mussolini’s invasion of Ethiopia and Hitler’s invasion of Sudetenland as examples. This school of thought believes humanitarian intervention may only be branded as such when carried out by powerful states, usually Western. When employed by one of the remaining majority it is deemed unacceptable such as India’s intervention against Pakistan to stop the slaughter of Bengalis in Bangladesh or Vietnam’s offensive against the Pol Pot regime.³¹ For critics such as Ali and Chomsky, any act of humanitarianism by use of force is contrary to its meaning and imperialistic.

Fundamental versions of the realist argument show that states will operate in their own interest and to preserve their own security within the international system. Some realists oppose interventions embarked upon solely on the grounds of morality, but believe that any action may be disguised with colorful rhetoric. In the purest view of realism, humanitarian intervention is irrelevant; there is only intervention and non-intervention.³² Another component of the realist construct is that states will act as they wish regardless of international law. Wheeler, concerned with the legitimization process, makes an interesting contribution to this realist notion saying, “What is important, then, is to distinguish between power that is based on relations of domination and force, and power that is legitimate because it is predicated on shared norms.”³³

Other realists suggest that the U.S. cannot assume the entire global responsibility to solve humanitarian crises because this could lead to overstretch and be contrary to the nation’s security. However, when the U.S. does engage in humanitarian efforts with

³⁰ Tariq Ali, “NATO’s Balkan Adventure,” *Monthly Review* 52 no. 2 (June 1999), Proquest ID: 213150915, 1.

³¹ Noam Chomsky, “Dilemmas in Humanitarian Intervention” (speech, Williams College, September 15, 2011), <https://www.youtube.com/watch?v=77U1tlAyWVA>.

³² Bass, *Freedom’s Battle*, 12 - 16.

³³ Wheeler, *Saving Strangers*, 2.

force, the strategic objectives that accompany these missions should be acknowledged and the proper assets deployed to produce the intended results. Examples of strategic considerations tied to humanitarian intervention are regime change and nation building.³⁴

Contrary to the realist view that national interest is the principal driver of military force, Bass proposes that states have acted out of “genuine humanitarianism” in the past.³⁵ He turns to the example of Britain’s use of military force to end the slave trade. This campaign diverged from Britain’s national interest by injuring relations with allies and hurting the economy. Britain assumed the risk of deploying naval forces to Africa and Cuba in the name of abolitionism; this was an act of true devotion to humanity and not an imperialistic mission. Bass uses this example to demonstrate that a state has previously acted and is able to act in a purely altruistic manner; however, he does not categorize the post-Cold War humanitarian interventions as genuine.³⁶

A second interesting factor to counter the realist perspective is the potential for solidarity to outweigh national interest. Commonalities or lack of connection amongst people in characteristics such as nationalism, religion, ethnicity, or physical distances affects the development of moral outrage that might pressure governments into a humanitarian intervention. Supporters of this notion attribute a deficit in solidarity between populations as the reason for Britain’s failure to prevent Hitler’s invasion of Czechoslovakia and America’s failure to stop the genocide in Rwanda. Bass also contends that the opposite effect could occur in which populations demand action on account of solidarity.³⁷ Mass media and new technology can act as an expedient of solidarity by bridging the gap between distant populations. Bass notes, “Just as the growth of national consciousness relies on knowing about the lives of other members of the national community living far away, the growth of humanitarian concern for foreigners relies on knowing about the lives of foreigners.”³⁸ The realist

³⁴ Kissinger and Baker, “Grounds for U.S. Military Intervention.”

³⁵ Bass, *Freedom’s Battle*, 5.

³⁶ Bass, *Freedom’s Battle*, 18–19.

³⁷ Bass, *Freedom’s Battle*, 22–23.

³⁸ Bass, *Freedom’s Battle*, 27–28.

counterargument to the preceding point may be that the media and solidarity do not hold enough power to result in political commitment the way that national interest does.

E. NEW ATTITUDES

The end of the Cold War marked a significant turning point in both politics and security for the United States. After the collapse of the Berlin wall, the U.S. political agenda shifted from engaging in great power politics to testing its new superpower status on the international stage. Other nations turned to the U.S. to provide a security umbrella and to maintain global order.³⁹ Conflict among fragmented ethnic societies was a defining feature during this time period or at least it became more noticeable.⁴⁰ After WWII, the international community emphasized non-interventionism and respect for sovereignty. These post-WWII values, embedded in the UN charter, did not align well with the humanitarian crises that spawned from internal wars and domestic conflicts throughout impoverished nations in the decade following 1989. Innovation in military technology and the availability of weapons were also a contributing factor to interstate violence.⁴¹ The world witnessed a surge in U.S. military missions beginning in the 1990s: Iraq, Somalia, Haiti, Bosnia, Kosovo, and Libya.

1. Media Impact Post-Cold War

One theory proposes that media coverage exercises an independent influence on policymaking. It arouses emotion in the public, and also among policymakers, and dramatizes human suffering in ways that may favor intervention in scenarios that are not of strategic interest. Some crises receive more media attention than others, which may be a factor in itself. Somalia and Bosnia, it is argued, received so much attention that

³⁹ David Hastings Dunn, “Innovation and Precedent in the Kosovo War: The Impact of Operation Allied Force on U.S. Foreign Policy,” *International Affairs* 85 no. 3 (2009), 532, doi: 10.1111/j.1468-2346.2009.00812.x.

⁴⁰ Michael C. Davis, “The Emerging World Order: State Sovereignty and Humanitarian Intervention,” in *International Intervention in the Post-Cold War World: Moral Responsibility and Power Politics*, ed. Michael C. Davis et al. (New York: M.E. Sharpe, 2004), 3–4.

⁴¹ Davis, “The Emerging World Order,” 4.

policymakers took action, while journalists in Rwanda were hard to come by.⁴² Assuming that the media is powerful enough to prioritize U.S. foreign policy decisions, it might well serve as a useful tool for establishing the moral imperative for humanitarian intervention; assuming that one believes the media actually possess such power. Not everyone does.⁴³

The 1990s were also characterized by a rapidly growing media industry, which played a critical role in military intervention, and continues to do so today. Peter Jakobsen conducted a comparative study examining the impact of legitimacy, national interest, chance of success, domestic support, and the “CNN effect” on UN peace enforcement operations. Jakobsen tries to answer the question: “How do states determine which conflicts are suitable for enforcement and which are not?”⁴⁴ In his case study on Somalia, he concludes that the CNN effect was instrumental placing pressure on the administration; however, the decision to intervene in Somalia was largely based on probability of success.⁴⁵

The end of the Cold War gave journalists a new frame of reference within which to tell their stories. Such “framing” envisions the relationship between government and media as an interactive process in which the media shapes its message from government rhetoric, and policymakers shape their rhetoric from the media. This symbiotic relationship between the media and government in turn shapes public opinion.⁴⁶ Absent the looming threat of communism, policymakers and media outlets struggled to justify the regional conflicts of the 1990s with reference to traditional concepts of national

⁴² Steven Livingston, “Limited Vision: How Both the American Media and Government Failed in Rwanda,” in *Media and the Rwanda Genocide* ed. Allan Thompson (London: Pluto Press, 2007), 192.

⁴³ Livingston, “Limited Vision,” 188–89; Daniel Moran, (professor and thesis advisor, Naval Postgraduate School), in discussion with the author, November 2014.

⁴⁴ Peter Viggo Jakobsen, “National Interest, Humanitarianism or CNN: What Triggers UN Peace Enforcement After the Cold War,” *Journal of Peace Research* 33 no. 2 (May, 1996), 205, <http://www.jstor.org/stable/425437>.

⁴⁵ Jakobsen, “National Interest, Humanitarianism or CNN,” 209.

⁴⁶ Robert Entman, “Declaration of Independence: The Growth of Media Power after the Cold War,” in *Decisionmaking in a Glass House: Mass Media, Public Opinion, and American and European Foreign Policy in the 21st Century*, ed. Brigitte L. Nacos, Robert Y. Shapiro, and Pierangelo Isernia (Lanham, MD: Rowman & Littlefield., 2000), 13.

interest and patriotism. Intervention was formulated in terms of humanitarianism in order to fill the conceptual void created by the collapse of the Soviet Union.⁴⁷

Once established, the concept of humanitarian intervention became a repeating theme in media reporting. Robert Entman, professor of media and international affairs, claims, “Foreign policy narratives frequently assume that one decision, in places like Somalia or Bosnia, betokens a decisive choice of role or category for U.S. foreign policy, rather than that the 1990s commenced a period –perhaps a very long one –of testing and groping to find a role or combination of roles for American military force and diplomacy.”⁴⁸ This phenomenon resulted in much debate over whether the U.S. should take on the role of the world’s policeman or should remain isolated. During the post-Cold War era, the rapid advance of information technology also impacted foreign policy. Internet and satellite communications enabled cable news networks to stream instant footage from the battlefield. The flow of footage and public exposure fluctuated in relation to the coverage of domestic affairs and media interest in a crisis.⁴⁹ Every U.S. citizen possessed the capability to stay informed on the humanitarian crises of the world.⁵⁰ Whether public opinion shapes politics or politics shape public opinion is debatable; however, examining the role of the media does provide added value to understanding U.S. humanitarian intervention.

F. RESEARCH DESIGN

The U.S. is the central actor within the scope of this research. This study also encompasses U.S. actions in coordination with NATO and the UN. The political aspects of intervention will be a focal point, although it is difficult to completely refrain from some international law as it relates to legitimacy and the definition of genocide. Furthermore, this study examines general literature on humanitarian intervention and more specific works on intervention in Rwanda, Kosovo, and Libya. A case study

⁴⁷ Entman, “Declarations of Independence,” 14–15.

⁴⁸ Entman, “Declarations of Independence,” 15.

⁴⁹ Livingston, “Limited Vision,” 193.

⁵⁰ Phillip Knightley, *The First Casualty: The War Correspondent as Hero and Myth-Maker from the Crimea to Kosovo* (Baltimore: The Johns Hopkins University Press, 2000), 504.

approach reveals how the U.S. reconciled national interest in each situation. Through qualitative analysis, I have gathered evidence in hopes of determining how the U.S. reached its decision point for either intervention or nonintervention in each case study and the implications of these interventions for subsequent U.S. policy actions. Similarly, all three case studies occur after the Cold War and amidst an incessant media machine.

Somalia played a critical role in shaping U.S. intervention policy throughout the remainder of the decade. Jeffrey Herbst and Walter Clarke indicate the intervention in Somalia influenced U.S. policy on Rwanda, Bosnia, and the doctrines of NATO and the UN.⁵¹ The Rwanda case study illustrates the U.S. refusal to make the case for intervention and the absence of moral outrage from the public. Next, after a period of inaction in Bosnia and Rwanda, Kosovo reveals how the Clinton administration approached humanitarian crises, and set a precedent for joint action that is not sanctioned by the UN. President Bill Clinton proclaimed an idealistic doctrine to the U.S. troops who supported the NATO operation in Kosovo shortly after the campaign: “Never forget if we can do this here, and if we can then say to the people of the world, whether you live in Africa, or Central Europe, or any other place, if somebody comes after innocent civilians and tries to kill them en masse...it’s within our power to stop it, we will stop it.”⁵² Lastly, the Libya case study comes after the birth of the official Responsibility to Protect (R2P) concept when the UN recognized it at the 2005 World Summit. Additionally, this is the only case following the U.S. war on terror. The international community emerges from Libya divided on the concept of humanitarian intervention with some claiming the operation was worth the lives saved and others citing it as guise for strategic power politics.⁵³

⁵¹ Walter Clarke and Jeffrey Herbst, “Somalia and the Future of Humanitarian Intervention,” *Foreign Affairs* 75 no. 2 (April, 1996), 70, <http://www.jstor.org/stable/20047489>.

⁵² Council on Foreign Relations, *Humanitarian Intervention*, proj dir. Alton Frye (New York: Brookings Institution Press, 2000), 76.

⁵³ “The Lessons of Libya: Responsibility to Protect,” *The Economist*, May 19, 2011, <http://www.economist.com/node/18709571>.

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II. RWANDA

The U.S. chose not to intervene against the machete-wielding Interahamwe, and its followers in the spring of 1994. President Clinton reflected back on the Rwanda crisis in his autobiography: “We were so preoccupied with Bosnia, with the memory of Somalia just six months old, and with opposition in Congress to military deployments in faraway places not vital to our national interest that neither I nor any one of my foreign policy team adequately focused on sending troops to stop the slaughter...This failure to try to stop Rwanda’s tragedies became one of the greatest regrets of my presidency.”⁵⁴ Despite the slaughter of almost a million people, intervention was of no strategic interest and the public never demanded action. Policymakers and the Clinton administration never attempted to make a case for intervention because both national interest and moral outrage were not strong enough to warrant such action. The lack of U.S. attention resulted in inaction from the rest of the global community and the UN.⁵⁵

This case study begins with historical information on the Rwanda crisis, and then leads into the U.S. policymaking environment in 1994. Findings disclose the U.S. mindset towards peacekeeping operations in the bureaucracy and at the executive level. Evidence supports that the U.S. had intelligence before the outbreak of violence and knew what was occurring in Rwanda long before it acknowledged it to be genocide two months later. The events in Somalia, Haiti, and Bosnia all impacted the context in which policymakers deliberated action in Rwanda. The Pentagon, the Clinton administration, and Congress never pushed national interest as a reason for intervention. The public and the media did not create sufficient moral outrage to pressure policymakers into action. This case study shows that humanitarian intervention was never a policy option for Rwanda. The tipping point in the direction of nonintervention was determined by events in Somalia in 1993.

⁵⁴ Bill Clinton, *My Life: Vol II The Presidential Years* (New York: Vintage Books, 2005), 167.

⁵⁵ Jared Cohen, *One Hundred Days of Silence: America and the Rwanda Genocide* (New York: Rowman and Littlefield Publishers, 2007), 3.

A. BACKGROUND

Rwanda gained independence from Belgium in 1962. During Belgian colonial rule, members of the Tutsi tribe resided a social class above the Hutus. After gaining independence, Hutus took control of the government, reversing the structure of Rwandan society. With the Hutus in power, ethnic tensions caused many Tutsis to flee to neighboring Uganda. In Uganda, the Tutsis regrouped to form the Rwandan Patriotic Front (RPF). In 1990, the RPF tried to regain lost ground in Rwanda by inciting a civil war with the Rwandan government. Over the course of the next three years, Hutu extremism emerged and Rwandan society became accustomed to ethnic animosity toward the Tutsis and also moderate Hutus.⁵⁶ Eventually, the Arusha accords arranged for a cease-fire between the Rwandan government and the RPF. The UN, led by General Romeo Dallaire, entered Rwanda on a Chapter VI peacekeeping mission to enforce the terms of the agreement. The situation destabilized immediately after a plane, carrying Rwandan President Juvenal Habyarimana, crashed. Within hours it became clear that Hutu extremists had been preparing systematic extermination of all Tutsis and their supporters. Roadblocks, door-to-door killings, and radio broadcasts directing the violence foreshadowed of events to come. U.S. diplomats witnessed the commencement of persecution first hand as neighbors and acquaintances pleaded for refuge under their protection in the first hours.⁵⁷ Over the course of the next 100 days, Hutu extremists killed an estimated 800,000 Rwandans because they were Tutsi or Tutsi supporters, while more than two million others fled as refugees.

In 1998, President Clinton apologized to the people of Rwanda stating, “It may seem strange to you here, especially the many of you who lost members of your family, but all over the world there were people like me sitting in offices, day after day after day, who did not fully appreciate the depth and the speed with which you were being engulfed

⁵⁶ Richard Weitz, *Project on National Security Reform: Case Studies Working Group Report Volume II* (Carlisle, PA: Strategic Studies Institute, 2012), 460, <http://www.strategicstudiesinstitute.army.mil/pubs/display.cfm?pubID=1100>.

⁵⁷ “Ghosts of Rwanda,” *Frontline*, directed by Greg Barker and Darren Kemp (Alexandria, VA: PBS Video, 2004), DVD.

by this unimaginable terror.”⁵⁸ Some claim that events unfolded so rapidly in Rwanda that the U.S. could not intervene in time to make a difference. Other evidence suggests that the U.S. had ample indications and warnings of genocide in Rwanda, purposely avoiding and undermining the option for military intervention.⁵⁹ This chapter examines the variables impacting the U.S. decision-making process in the spring of 1994 and identifies the reasons why the U.S. chose not to intervene in this humanitarian catastrophe. Ultimately, national interest and moral imperative were not robust enough to convince the Clinton administration to take action.

B. THE POLICY ENVIRONMENT

The 1990s ushered in a new wave of multilateralism, peacekeeping, and the promotion of American values abroad. The 1992 presidential campaign was the first since the end of the Cold War. Clinton’s campaign platform on foreign policy included promises of spreading American democratic values abroad and multilateral action using force if necessary to do so.⁶⁰ Early in 1993, the Clinton administration initially recognized peacekeeping and participation in UN missions as part of U.S. national interest. In opposition, Chairman of the Joint Chiefs of Staff, General Colin Powell, expressed concern over expanding the military’s role into peacekeeping.⁶¹ The death of eighteen Army Rangers in a faraway African country shortly after the presidential inauguration quickly squelched Clinton’s vision of multilateral peacekeeping in American foreign policy.

1. PDD-25

Presidential Review Decision 13 (PRD) set out to codify Clinton’s assertive multilateralism categorizing humanitarian threats abroad as threats to the national

⁵⁸ Bill Clinton (speech, address to genocide survivors at the airport in Kigali, Rwanda, March 25, 1998), <http://www.cbsnews.com/news/text-of-clintons-rwanda-speech/>.

⁵⁹ Weitz, *Project on National Security Reform*, 471.

⁶⁰ Thomas Friedman, “The 1992 Campaign -- Issues: Foreign Policy - Looking Abroad: Clinton and Foreign Policy/A special report.; Clinton’s Foreign-Policy Agenda Reaches Across Broad Spectrum,” *The Washington Post*, October 4, 1992, <http://www.nytimes.com/1992/10/04/us/1992-campaign-issues-foreign-policy-looking-abroad-clinton-foreign-policy.html>.

⁶¹ Weitz, *Project on National Security Reform*, 449.

interest. After the fiasco in Somalia, policymakers redesigned the document to adjust for a shift in policy, and PRD-13 transformed into Presidential Decision Directive 25 (PDD).⁶² Multilateral peacekeeping came under scrutiny, and the military believed peacekeeping interfered with the capability to fight two simultaneous regional wars.⁶³ As a result, President Clinton wanted to bridge the gap between the Pentagon and the administration by establishing a unified policy on peacekeeping operations.⁶⁴ The end compromise was PDD-25, signed on May 6, 1994, and titled *U.S. Policy on Reforming Multilateral Peace Operations*. PDD-25 sought to reduce U.S. spending on UN peace operations, to encourage the reform of UN peacekeeping operations, and to force other UN nations to bear more responsibility for providing resources for peace enforcement and peacekeeping operations.⁶⁵ It addressed “factors to be considered in voting on UN peace operations resolutions” and clarified the circumstances for sending U.S. troops in support of UN missions.⁶⁶ Its primary author, also director of the peacekeeping desk at the National Security Council (NSC), Richard Clarke, indicated that the document was meant to salvage peacekeeping by ensuring that U.S. participation in operations remained effective. Critics called the directive a “restrictive checklist” that constrained U.S. participation in UN missions including the response to Rwanda.⁶⁷

Some of the following factors noted from the directive may provide insight into the decision for nonintervention in Rwanda and the foreign policy environment in Washington at the time. The directive requires the following criteria be considered when voting on UN peacekeeping operations:

⁶² Cohen, *One Hundred Days of Silence*, 49,51.

⁶³ Weitz, *Project on National Security Reform*, 507.

⁶⁴ Weitz, *Project on National Security Reform*, 449.

⁶⁵ U.S. Department of State, “Clinton Administration Policy on Reforming Multilateral Peace Operations (PDD 25),” (Washington, DC: Bureau of International Organizational Affairs, February 22, 1996), Executive Summary, <http://fas.org/irp/offdocs/pdd25.htm>.

⁶⁶ President of the United States, *U.S. Policy on Reforming Multilateral Peace Operations*, Presidential Decision Directive/NSC-25, Washington, DC: The White House, 1994, http://www.clintonlibrary.gov/_previous/Documents/2010%20FOIA/Presidential%20Directives/PDD-25.pdf.

⁶⁷ Power, *A Problem From Hell*, 342.

- I. National interest and international community of interest must be at risk.
- II. The threat to international peace should be one in regional character. This includes humanitarian catastrophes paired with violence.
- III. Mission objectives clearly fit on the spectrum between peacekeeping and peace enforcement and include a reasonable estimate for duration of conflict and understanding whether the use of force will be required.
- IV. The international community considers the consequences of inaction unacceptable.

If U.S. troops are to participate in the operation, the following additional criteria must be considered:

- V. The risks to American troops have been considered in conjunction with national interest.
- VI. Adequate resources exist.
- VII. The command and control structure is acceptable to the U.S.
- VIII. U.S. participation is necessary for success and the role of U.S. troops is linked to clear objectives and an identifiable end state for participation.
- IX. Domestic and congressional support exists or can be aroused.⁶⁸

PDD-25 had a profound impact on the policymaking environment in Washington. In the absence of a detailed strategy on humanitarian intervention in the early 1990s, policymakers turned to PDD-25 as the governing doctrine.⁶⁹ Although the PDD was not signed until about a month after the genocide in Rwanda began, its principles had become accepted guidelines simply by circulation. Consequently, the guidelines codified in the document played a role in how policymakers responded to the crisis or at least how they perceived what an appropriate response would look like.⁷⁰ The State Department was no longer the lead authority on peacekeeping missions. The PDD now incorporated Congress, as appropriator of funds, and the military as supplier of force into the policymaking process. The decision process slowed with the additional requirement for

⁶⁸ President of the United States, *U.S. Policy on Reforming Multilateral Peace Operations*.

⁶⁹ Weitz, *Project on National Security Reform*, 441.

⁷⁰ Weitz, *Project on National Security Reform*, 455.

interagency cooperation between the Pentagon, the State Department, and Congress. Some key players used the PDD as a tool to oppose intervention.⁷¹

Internal politics may have been a factor as well. According to Clinton's National Security Advisor (NSA), Tony Lake, a discussion on whether action in Rwanda aligned with PDD-25 never took place. Clarke may have viewed Rwanda as an opportunity to utilize his directive to say "no" to non-strategic initiatives.⁷² If anything PDD-25 hindered those at the action level from pushing options for Rwanda up the chain. Evidence suggests the Clinton administration and the Pentagon had predetermined that intervention in Rwanda would never be in U.S. national interest regardless if it met the standards outlined in the document.⁷³ PDD-25 shaped attitudes in DC, but really it served as a scapegoat for a policy decision that had already been made at the highest levels of government.

C. NATIONAL INTEREST

A hearing before the House Subcommittee on Africa was held almost a month after violence broke out in Rwanda. Committee members made it clear that the insertion of U.S. troops, at risk of becoming "cannon fodder," was not an option.⁷⁴ Members referenced futile public diplomacy efforts and personal phone calls to the Rwanda government urging a cease in the violence as methods for preventing violence.⁷⁵ Congressman Dan Burton's line, "I wish there was something we could do," summarized the attitudes in the hearing.⁷⁶ The committee's stated goals were to ensure the murderers knew they would be held accountable, refuse to acknowledge any government created by

⁷¹ Weitz, *Project on National Security Reform*, 505–6.

⁷² Cohen, *One Hundred Days of Silence*, 6.

⁷³ Weitz, *Project on National Security Reform*, 987–88; Power, *A Problem from Hell*, 335.

⁷⁴ *The Crisis in Rwanda: Hearing Before the Subcommittee on Africa of the Committee on Foreign Affairs House of Representatives*, 103rd Cong., 2 (1994) (statement of Hon. George Moose, Assistant Secretary of State for African Affairs, accompanied by Prudence Bushnell, Deputy Assistant Secretary).

⁷⁵ *The Crisis in Rwanda: Hearing Before the Subcommittee on Africa of the Committee on Foreign Affairs House of Representatives*, 103rd Cong., 2 (1994) (statement of Hon. George Moose, Assistant Secretary of State for African Affairs, accompanied by Prudence Bushnell, Deputy Assistant Secretary).

⁷⁶ *The Crisis in Rwanda: Hearing Before the Subcommittee on Africa of the Committee on Foreign Affairs House of Representatives*, 103rd Cong., 2 (1994) (statement of Hon. George Moose, Assistant Secretary of State for African Affairs, accompanied by Prudence Bushnell, Deputy Assistant Secretary).

force, deny visas to those involved in the violence, and conduct humanitarian assistance air drops. The term genocide was avoided throughout the hearing and much of the debate revolved around the civil war between the RPF and the Rwandan government rather than the ongoing systematic massacre.⁷⁷ Testimony from Dr. Alison Des Forges, a member of the African Division within Human Rights Watch, quickly invalidated the opening discussions of the subcommittee. Looking back at the hearing twenty years later, Des Forges exhibited a comprehensive and clear understanding of the situation in Rwanda at the time. She detailed to Congress how the vast majority of killing was due to genocide and not a civil war. She proposed that Western troops could easily combat the killers, only armed with machetes. She pointed out that the Pope had already designated the situation as genocide, and the United States and the UN were avoiding its legal obligation. Maintaining direct contact with her colleagues in Rwanda, she corrected committee members by affirming that Radio Télévision Libre des Mille Collines (RTLM) was operational and still directing the killing of Tutsis. Lastly, she politely indicated that U.S. efforts as they were would not stop the genocide, and the U.S. approval to withdraw UN peacekeepers exacerbated the deteriorating situation.⁷⁸ In retrospect, it appears members of Congress assumed that military intervention was out of the question; the pros and cons were never debated.

A Rwandan case study from the U.S. Army War College consolidates evidence that the international community and the U.S. were clearly aware of the situation brewing in Rwanda before violence suddenly broke after the death of President Habyarimana on April 6, 1994. First, Belgium previously warned of genocide in February of 1994.⁷⁹ Second, CIA reports prior to the outbreak in violence predicted mass killing. It had found indicators of the impending ethnic violence in January of 1993, and knew that four

⁷⁷ *The Crisis in Rwanda: Hearing Before the Subcommittee on Africa of the Committee on Foreign Affairs House of Representatives*, 103rd Cong., 2 (1994)(statement of Hon. George Moose, Assistant Secretary of State for African Affairs, accompanied by Prudence Bushnell, Deputy Assistant Secretary).

⁷⁸ *The Crisis in Rwanda: Hearing Before the Subcommittee on Africa of the Committee on Foreign Affairs House of Representatives*, 103rd Cong., 2 (1994)(statement of Dr. Alison L. Des Forges, history department, State University of New York and Buffalo and Africa Watch).

⁷⁹ Weitz, *Project on National Security Reform*, 479.

million tons of small arms had been transferred to Rwanda.⁸⁰ Third, General Dallaire, the Commander of the UN Assistance Mission for Rwanda (UNAMIR), loudly voiced concern of an impending and coordinated killing campaign being planned by the Hutu extremists after receiving information from an informant. The UN ignored his cable, which cautioned about the targeting of Tutsis.⁸¹ Evidence supports the U.S. knew of possible genocide prior to April 6, 1994.

Once violence began, the U.S. received enough reports of massacre within hours after the plane crash to distinguish it from the patterns of violence characteristic of civil war. The day following the crash, the Deputy Chief of Mission, Joyce Leader, witnessed the violence first hand and was informed of “systematic killing of Tutsis.”⁸² Dallaire’s cables reported ethnic cleansing and within four days he was asking for an additional 5,000 troops.⁸³ Hundreds of Rwandans convened at Ambassador David Rawson’s home for a safe haven.⁸⁴ It’s difficult to imagine that the highest ranking U.S. official in Rwanda didn’t understand why hundreds of Rwandans were knocking on his door. In an interview with Frontline, Rawson admitted that when he returned to DC he was kept at the mid-level, and he was not consulted by the deputies committee, which was calling the shots.⁸⁵ The counterargument is that the genocide was not readily apparent amongst the chaotic civil war, evacuation operation, misleading Rwandan government, and confused media reporting.⁸⁶

Despite its knowledge of the violence, the U.S. did not intervene, and indirectly undermined UN efforts by backing the removal of troops and refusing logistical support. It never entertained the possibility of smaller scale actions to hinder the genocide. U.S. officials were aware of broadcasts from RTLM urging the killing of Tutsis, and serving

⁸⁰ Power, *A Problem from Hell*, 338.

⁸¹ Weitz, *Project on National Security Reform*, 461.

⁸² Power, *A Problem from Hell*, 354; “Ghosts of Rwanda.”

⁸³ Power, *A Problem from Hell*, 350.

⁸⁴ Power, *A Problem from Hell*, 351.

⁸⁵ “Ghosts of Rwanda.”

⁸⁶ Power, *A Problem from Hell*, 354.

as an information sharing mechanism among the killers to locate and isolate Tutsis.⁸⁷ The option of jamming RTLM did reach the highest levels of government, but was shot down on account of fear that it would lead to further U.S. commitment. Officials blamed a lack of resources, violation of international law, and divergence from diplomatic protocol for the infeasibility of this option.⁸⁸ Furthermore, the U.S. never publicly released names in an effort to hold Rwandan leaders accountable. The UN allowed Rwanda, which was coincidentally serving as a rotating member of the UNSC, to remain in standing.⁸⁹ The Department of Defense (DOD) opposed the augment of UN troops or support in the form of logistics to UNAMIR.⁹⁰ Eventually in mid-May the UN passed a resolution for UNAMIR II, but its deployment preparations proved too slow to make a difference. The leasing of 50 armored personnel carriers (APCs) was another sluggish endeavor by the U.S. Interagency disagreement and bureaucratic red tape prevented the effective and timely deployment of the vehicles, resulting in the slowed deployment of UNAMIR II troops.⁹¹

The Army War College case study reveals that the interagency collaborative process for a solution was too slow moving for the rapid pace of the genocide.⁹² The State Department, Pentagon, Clinton administration, and NSC failed to develop a strategy and the highest levels of government, and never demanded integration of planning efforts. Without the demand for a collective effort, a small group controlled the speed at which decisions were made on Rwanda.⁹³ Very little interagency discussions or planning took place as the violence unfolded. Lake never convened a meeting of the principles.⁹⁴ The State Department team that had witnessed the situation first hand during the

⁸⁷ Weitz, *Project on National Security Reform*, 470.

⁸⁸ Cohen, *One Hundred Days of Silence*, 152–54.

⁸⁹ Cohen, *One Hundred Days of Silence*, 148.

⁹⁰ Cohen, *One Hundred Days of Silence*, 153.

⁹¹ Cohen, *One Hundred Days of Silence*, 164.

⁹² Weitz, *Project on National Security Reform*, 989.

⁹³ Weitz, *Project on National Security Reform*, 987–88.

⁹⁴ Cohen, *One Hundred Days of Silence*, 97.

evacuation of westerners was never consulted.⁹⁵ The European Combatant Commander (EUCOM) regularly monitored Rwanda and was instructed to limit planning efforts to an evacuation shortly after the president's death.⁹⁶ Organizational preferences derailed any decision process as well. Powell saw peacekeeping as a distraction from the military's primary role.⁹⁷ The State Department remained focused on salvaging the Arusha Peace Process and diplomacy with the Rwandan government instead of the ongoing genocide.⁹⁸ Secretary of State, Warren Christopher, thought that UNAMIR no longer fit into its mandate.⁹⁹ Lastly, Congress was trapped by the opinions of its constituents, who were weary from Somalia, and especially the republicans remained critical the Clinton administration's foreign policy following Somalia.¹⁰⁰

The lack of collaboration, slow interagency discussions, and organizational politics would not have mattered if humanitarian intervention in Rwanda had been in U.S. national interest. The commonly accepted theme, however, was that foreign policy issues in Africa were viewed as non-vital interests by the national security organization. Genocide in Rwanda posed no direct threat to U.S. security or economic interests. The U.S. had no bases, resources, or significant trade partners in Africa.¹⁰¹ The international community, aside from perhaps neighboring countries in Africa, felt the same way. Dallaire commented that UNAMIR was at the very bottom of the list of 16 UN missions being executed in 1994. The Rwanda genocide developed into regional crisis with one million refugees flooding into Zaire and conflict in the Congo. In the past, the potential for an interstate crisis to spread into regional violence has been substantial enough for the U.S. to intervene on behalf of international interest, but still a regional threat in Africa

⁹⁵ Weitz, *Project on National Security Reform*, 480.

⁹⁶ Weitz, *Project on National Security Reform*, 486.

⁹⁷ Weitz, *Project on National Security Reform*, 449.

⁹⁸ Weitz, *Project on National Security Reform*, 509.

⁹⁹ Cohen, *One Hundred Days of Silence*, 6.

¹⁰⁰ Cohen, *One Hundred Days of Silence*, 3.

¹⁰¹ Weitz, *Project on National Security Reform*, 511.

was not enough to spur intervention. Nonintervention tarnished UN credibility and U.S. reputation for promoting liberal values abroad.¹⁰²

1. Somalia, Bosnia, and Haiti

At first glance, the murder of Belgian UNAMIR peacekeepers seemed eerily similar to the murder of Pakistani peacekeepers in Somalia. Somalia was Clinton's first experience in post-Cold War peacekeeping, and the domestic backlash from its failure was still fresh in his mind. Some policymakers and the public immediately placed Rwanda in the same category as Somalia. Both were in Africa and both were a far threat from the U.S. homeland. The memory of Somalia could not be erased regardless of how it differed from Rwanda. In fact, the situations are different. Somalia's situation unfolded from a lack of institutions and the chaos created by a war lord system. Rwanda, on the other hand, resulted directly from the existence of government institutions and not a lack thereof.¹⁰³ Either way the Clinton concept of U.S. national interest had reformed after Somalia and impacted the response to Rwanda.

Just a week after Somalia, the U.S. faced more embarrassment in Haiti after anti-American demonstrators prevented the USS Harland County from disembarking its troops to join the UN mission.¹⁰⁴ Due to the island's proximity, restoring democracy in Haiti was a national interest item and a priority for the United States. Additionally, fighting and atrocities had been ongoing in Bosnia since 1992. Although, Bosnia was not a clear vital interest of the administration at first, it grabbed U.S. attention and took priority over Rwanda because of its geostrategic location. Rwanda was one of six ongoing UN missions in Africa when the genocide started. Somalia, Haiti, Bosnia, and the rest of the UN missions strained the Clinton administration, which wanted to cut costs and participation.¹⁰⁵

¹⁰² Weitz, *Project on National Security Reform*, 499–500.

¹⁰³ Weitz, *Project on National Security Reform*, 468.

¹⁰⁴ Power, *A Problem from Hell*, 279.

¹⁰⁵ Cohen, *One Hundred Days of Silence*, 60–61.

D. WHAT GENOCIDE?

Article I of the 1948 Convention on the Prevention and Punishment of the Crime of Genocide reads, “The Contracting Parties confirm that genocide, whether committed in time of peace, or in time of war, is a crime under international law which they undertake to prevent and to punish.”¹⁰⁶ The RPF wrote a letter to the UNSC comparing the situation in Rwanda to the Holocaust. The intention was to remind the UN of its obligations, especially after initial appeals went unanswered.¹⁰⁷

Driving the debate over whether genocide was occurring or not was the definition of the word itself. Legal definitions of genocide are anything but concrete, and policymakers approach it cautiously due to its legal implications. There was no open resource for the U.S. State Department’s official definition of genocide. Merriam-Webster Online defines genocide as “the deliberate and systematic destruction of a racial, political, or cultural group.” The most widely accepted definition of genocide is found in the 1948 UN convention, which defines it as “any of the following acts committed with intent to destroy, in whole or in part, a national, ethical, racial, or religious group, as such:”

- I. “Killing members of the group
- II. Causing serious bodily harm or mental harm to members of the group
- III. Deliberately inflicting on the group the conditions of life calculated to bring about its physical destruction in whole or part
- IV. Imposing measures intended to prevent births within the group
- V. Forcibly transferring children of the group to another group”¹⁰⁸

The variability in definition allows it to be manipulated in such a way that it can be used to support political objectives. Powerful states like the U.S. have more flexibility in their interpretations of international law, and therefore the political responses that

¹⁰⁶ Convention on the Prevention and Punishment of the Crime of Genocide, Dec. 9, 1948, 280, U.N.T.S. 1021. <https://treaties.un.org/doc/Publication/UNTS/Volume%2078/volume-78-I-1021-English.pdf>.

¹⁰⁷ Power, *A Problem From Hell*, 357.

¹⁰⁸ Convention on the Prevention and Punishment of the Crime of Genocide.

accompany those interpretations. U.S. spokespersons skirted around the definition claiming that the intent of the killers still needed to be determined and more facts were needed to prove the situation was genocide.¹⁰⁹ Rwanda was not designated as genocide until it could no longer be denied. Later, the situation in Kosovo would authorize use of the term genocide much earlier in the course of events to facilitate political objectives.¹¹⁰

Both Samantha Power's research and the Rwanda case study from the U.S. Army War College reveal that the United States received indications of genocide months before April 1994 and further clear evidence once killings began. There was hesitation amongst the UN, the U.S., the media, and Dallaire himself to officially state the situation in Rwanda was genocide. For the U.S. and the UN, doing so meant a legal obligation to act. Dallaire and the media were certain ethnic cleansing was occurring, but did not recognize the scale of genocide for some time. If Rwanda was labeled as genocide, then both U.S. and UN credibility could be at stake if they failed to act.¹¹¹ Nearly two months after the killing, the State Department's spokesperson, Christine Shelley, skirted around what was obvious: genocide was occurring. The rhetorical dance left Secretary of State Christopher, no choice but to acknowledge the term.¹¹²

1. Media

Rwanda received far less media attention than other crises of its time. At any one time in April there were only about ten to fifteen reporters on the ground in Rwanda mostly from Agence France-Presse (AFP), Radio France International (RFI), and the British Broadcasting Corporation (BBC).¹¹³ Other stories took priority: Bosnia, Haiti, the election in South Africa, and the OJ Simpson murder. In April 1994, there were twice as many articles on Bosnia than on Rwanda.¹¹⁴ Dallaire noted, "in fact one of the great

¹⁰⁹ Power, *A Problem From Hell*, 360.

¹¹⁰ Power, *A Problem from Hell*, 468.

¹¹¹ Power, *A Problem From Hell*, 359.

¹¹² Power, *A Problem From Hell*, 363–64.

¹¹³ Lindsey Hilsum, "Reporting Rwanda: The Media and the Aid Agencies," in *Media and the Rwanda Genocide* ed. Allan Thompson (London: Pluto Press, 2007), 172.

¹¹⁴ Anne Chaon, "Who Failed in Rwanda, Journalists or the Media?" in *Media and the Rwanda Genocide* ed. Allan Thompson (London: Pluto Press, 2007), 162.

shocking things of even the genocide as we move into that phase was the fact that on NBC, ABC and CBS there was more air time given to Tonya Harding kneecapping her colleague than there was to the genocide in Rwanda.”¹¹⁵ When Rwanda story surfaced, it was dismissed as routine African tribal violence, and the focus remained on the flow of refugees or the victorious evacuation of Westerners.¹¹⁶

As far as the media was concerned, Rwanda was in a state of tribal civil war throughout the month of April and not a state of genocide. Mark Doyle, one of the few journalists on the ground, refrained from calling the killing “genocide” until three weeks after it started. Instead the message was of a typical “chaotic Africa,” “civil war,” and a “shooting war.”¹¹⁷ Journalists for the most part didn’t have a clear understanding of what was going on until a few weeks into the massacres. Once it became clear, journalists in the field reported the killing as genocide up the chain. Media headquarters back at the BBC took a while to fully understand the situation. Journalists were encouraged to report both the Rwanda government and RPF perspectives on events because the concept of genocide seemed unbalanced and unbelievable at first.¹¹⁸ Finally, in July of 1994, the world began to comprehend the scale of the situation in Rwanda when 500 journalists swarmed into the town of Goma, Zaire to cover the refugee flows.¹¹⁹

American media coverage on Rwanda was disproportionately less than other stories and unconvincing to the public. First, news coverage of international events dropped more than 10% in 1992 and remained low. Second, American media focused on other stories. The refugee crisis in Haiti was close to home, and the inauguration of Nelson Mandela took up significant air time in May.¹²⁰ Americans connected to the

¹¹⁵ *Hearing Before the Subcommittee on Africa of the Committee on International Relations, House of Representatives*, 108th Cong., 2 (2004)(statement of Lieutenant General Romeo Dallaire, Canadian Army, Retired).

¹¹⁶ Chaon, “Who Failed in Rwanda,” 164; Power, *A Problem From Hell*, 355.

¹¹⁷ Mark Doyle, “Reporting the Genocide,” in *Media and the Rwanda Genocide* ed. Allan Thompson (London: Pluto Press, 2007), 154.

¹¹⁸ Doyle, “Reporting the Genocide,” 155.

¹¹⁹ Hilsum, “Reporting Rwanda: The Media and the Aid Agencies,” 190–191.

¹²⁰ Livingston, “Limited Vision,” 195.

reporting on Bosnia because of its location to major European cities.¹²¹ Third, the majority of stories centered on Hutu refugee camps rather than the killing inside Rwanda.¹²²

Despite the well accepted notion that increased coverage leads to moral outrage, which leads to intervention, some scholars contend that the amount of media coverage is irrelevant to the decision for intervention. Steven Livingston suggests that the CNN effect is a myth. For example, he attributes the intervention in Somalia not to news images, but rather to pressure from members of Congress. Furthermore, if media reporting had identified genocide in Rwanda in a timelier manner, the United States still would have refrained from intervention because of national interest. The stigma of American media at the time was that it had previously initiated a policy response that failed in Somalia, and as a result, policymakers feared bending to the media for other humanitarian crises.¹²³ On the ground, Dallaire believed the opposite. He used the media as a weapon and engaged journalists as a line of communication with the West.¹²⁴

E. SUMMARY

U.S. government and society were reluctant to get involved in peacekeeping operations in Africa no matter the circumstances. The reason for intervention was not because the U.S. didn't know what was happening or couldn't keep up with the pace of the genocide. Simply phrased, missions in Africa could no longer be justified as national interest. Several factors contributed and reinforced the decision for nonintervention aside from the primary reason of recent events in Somalia. The U.S. was in the process of reforming its peacekeeping doctrine. Policymakers assumed that nothing could be done to stop the genocide. Media response was inadequate. The message of genocide was not conveyed to the world until the end of April. Even then, coverage was overshadowed by events thought to be more relevant. The evacuation of Westerners and refugee camps

¹²¹ Livingston, "Limited Vision," 193.

¹²² Livingston, "Limited Vision," 195.

¹²³ Livingston, "Limited Vision," 195–6.

¹²⁴ Power, *A Problem From Hell*, 355.

received more attention than the genocide, perhaps because it was so unimaginable. News stories did not arouse the moral necessity for action and neither did the public. As a result politicians were not pressured into the use of force. They were finally pressured into admitting genocide had happened after it became undeniable.

Rwanda was not the first time the U.S. looked the other way from genocide on behalf of its own national interest. In the 1970s, President Nixon and Secretary of State, Henry Kissinger, stood by their ally, Pakistan, as it slaughtered Bengalis in Bangladesh.¹²⁵ Once the facts surfaced over the Rwanda genocide, there was minimal blowback from the American public over the Clinton administration's failure to act. Later, both 2000 presidential campaign candidates concurred that they would have stayed out of Rwanda.¹²⁶

Inaction in Rwanda would stay with the Clinton administration throughout its tenure and resurface after the killings at Srebrenica and ethnic tensions in Kosovo. Clinton mentions regret in his autobiography over inaction and Power claims Rwanda had implications on policy decisions in Kosovo.¹²⁷ It's difficult to measure how much remorse Clinton and his associates carried with them after the genocide and if that guilt played a role in future policy decisions. This case study serves as a clear demonstration that national interest is an essential component for U.S. humanitarian interventions.

¹²⁵ Gary Bass, *The Blood Telegram: Nixon, Kissinger, and a Forgotten Genocide* (New York: Vintage Books, 2013), xiv.

¹²⁶ Bass, *Freedom's Battle*, 377.

¹²⁷ Clinton, *My Life*, 167; Power, *A Problem from Hell*, 447.

III. KOSOVO

In April 1999, Tony Blair addressed the Economic Club of Chicago: “Twenty years ago we would not have been fighting in Kosovo. We would have turned our backs on it.”¹²⁸ He said this because twenty years ago, the Cold War would have precluded an intervention in Kosovo. By the end of his speech, Prime Minister Blair had clearly pronounced his guidelines and objectives for military action in Kosovo also known as the Blair Doctrine. He explains that this type of military intervention is the result of changes brought about by the end of the Cold War and also the rapid progress of globalization. More importantly, he states that these changes have led to a crucial “political and security phenomenon.”¹²⁹

This case study begins with historical information on the province of Kosovo, and then describes the factors that influenced the U.S. decision-making process leading up to the commencement of NATO airstrikes on March 24, 1999. Supporting evidence shows that the U.S. embarked upon a strategy of coercive diplomacy leading up to the bombing, and officials in the executive branch supported a military option in the event of failed diplomacy early in the decision-making process. Unlike Rwanda, the Clinton administration fully engaged Congress months in advance to inform it of the strategic implications of armed conflict in Kosovo. Dialogue shows that although hope existed for a diplomatic solution, the executive branch was ready and willing to use U.S. forces for NATO air strikes or as part of a peacekeeping force on the ground. Prior dealings with Slobodan Milosevic, the changing role of NATO, the emphasis on advancing democratic institutions in the 1990s, and other humanitarian crises in the same decade impacted the mindset of policymakers in their search for a solution in the Balkans. The media pressure from U.S. policy decisions in Rwanda, Bosnia, and Srebrenica was a recent memory. By spring of 1998, the Pentagon, Department of State, and DOD informed Congress of the national interests that were at stake. As the operation began, the media served as the

¹²⁸ Tony Blair, (speech, Address to the Economic Club, Chicago, April 22, 1999), <http://www.pbs.org/newshour/bb/international-jan-june99-blairDoctrine4-23/>.

¹²⁹ Blair, (Address to the Economic Club).

channel to inform the public about both the national and moral interests on the line. This case study shows that humanitarian intervention was a policy option for Kosovo early in the decision process. The Clinton administration recognized the option of using force a year before the Kosovo intervention. The tipping point in the direction of intervention was determined by the outcome of peace negotiations at the Rambouillet conference in February 1999.

A. THE BALKANS

A brief background is necessary to fully understand the intervention in Kosovo. The creation of an independent Albanian state in 1913 excluded many ethnic Albanians residing in neighboring territory known as Kosovo, which Serbia had recently conquered during the first Balkan War. Later, Yugoslavia, an ethnically diverse state drawn up in the aftermath of WWI, encompassed the Kosovo region. Yugoslavia's leader, Josip Tito, rebuilt the state after its dissolution in WWII, but this time with Kosovo as an autonomous province governed by the republic of Serbia.

Yugoslavia has always suffered from powerful Albanian and Serbian nationalist ideologies, but the rise of Serbian strongman, Milosevic, irritated the situation. He recalled Kosovo's previously granted autonomy in 1989 further isolating 90% of the ethnic Albanian population residing there. Albanians living in Kosovo wanted self-determination, and they created their own institutions. Tensions in Kosovo continued to fester throughout the 1990s, while Milosevic waged war over the Yugoslav province of Bosnia. By 1998 armed violence between Serbian police forces and the Kosovo Liberation Army (KLA) caught the attention of the international community including the United States. Eventually, the clear threat of airstrikes from NATO enabled Richard Holbrooke, presidential envoy to the Balkans, to negotiate an agreement in October 1998. The agreement resulted in the draw down in forces and violence, but only temporarily.

Ultimately, Milosevic's diplomatic games resulted in an intervention from NATO in March 1999.¹³⁰

B. THE KOSOVO CONTEXT

Several contextual factors from the decade leading up to the 1999 NATO air campaign, Operation Allied Force (OAF), are important when considering U.S. reasons for intervention in Kosovo. Some of these influences prior to the Kosovo intervention include the unipolar international order, the Clinton ideal of liberalism through protecting democratic institutions, the transformation of NATO, the proximity of other humanitarian crises in the previous decade, and the gaps within the Dayton Peace Accord. First, the unipolar international order made the U.S. the most critical player in multilateral operations conducted by international organizations such as the UN and NATO. As a result of this hegemonic power, the U.S. found itself able to conduct its foreign policy in Europe through NATO.¹³¹ Second, U.S. foreign policy at the time encompassed the idea that spreading democracy and capitalism would help sustain a peaceful international order and therefore be in the U.S. national interest. For the Clinton administration, the definition of national interest included the spreading liberal values. The most practical way for the U.S. to carry out this flavor of foreign policy was through multilateral collaboration. Applying Clinton's ideals to foreign policy, policymakers portrayed a multilateral intervention in the Balkans as national interest because such action would spread Western values and result in a more stable region. Looking back to the prior case study, stability in Rwanda would have had minimal impact on U.S. national interest. In contrast, Kosovo was a geostrategic location nestled near U.S. European allies and just beyond prior Soviet satellite states; tyranny in the Balkans contradicted American

¹³⁰ Marie-Janine Calic, "Kosovo in the Twentieth Century: A Historical Account," in *Kosovo and the Challenge of Humanitarian Intervention: Selective Indignation, Collective Action, and International Citizenship*, ed. Albrecht Schnabel and Ramesh Thakur (New York: United Nations University Press, 2000), 19–21, 29.

¹³¹ G. John Ikenberry, "The Costs of Victory: American Power and the Use of Force in the Contemporary Order," in *Kosovo and the Challenge of Humanitarian Intervention: Selective Indignation, Collective Action, and International Citizenship*, ed. Albrecht Schnabel and Ramesh Thakur (New York: United Nations University Press, 2000), 86–87.

values.¹³² Third, whether intended or not, the U.S. was essential in the transformation of NATO after the Cold War. NATO had been a collective defense organization during the Cold War, but now needed to alter its stance toward Russia and shift focus to the promotion of stability and liberal institutions in the region.¹³³ The international order, the Neo-Wilsonian foreign policy of the U.S., and the transformation of NATO all contributed to the context in which the humanitarian intervention in Kosovo took place.

The slow or inadequate response to humanitarian crises in Rwanda, Bosnia, and the Srebrenica massacre earlier in the decade also influenced the thought process regarding Kosovo. Samantha Power suggested that both Clinton and Madeline Albright felt guilt over inaction in Rwanda and feared another Srebrenica if ethnic cleansing in Kosovo continued unchecked.¹³⁴ U.S. leadership came under scrutiny in 1995 for failure to prevent mass killing at Srebrenica. European leaders, members of Congress, the media, and the public criticized the passive engagement of the U.S. in Bosnia.¹³⁵ France and London both pointed out that the U.S. was failing in its role as the leader of NATO. Unlike Rwanda, the implications of inaction in Srebrenica were felt by the Clinton administration in the political arena.¹³⁶ Within the Clinton administration, the “institutional memory” of Bosnia was fresh and tainted by dealings with Milosevic.¹³⁷ Holbrooke, who had directly negotiated with Milosevic for three years, was familiar with the leader’s tendency to come to the negotiating table while buying time for his military operations.¹³⁸ By 1999, the Clinton administration, tired of dealing with Milosevic and his antics, was more than ready to contribute military force to put the leader back in his place.

¹³² Ikenberry, “The Costs of Victory,” 89, 93.

¹³³ Ikenberry, “The Costs of Victory,” 93–94.

¹³⁴ Power, *A Problem from Hell*, 447.

¹³⁵ Power, *A Problem from Hell*, 422–23.

¹³⁶ Power, *A Problem from Hell*, 436–37.

¹³⁷ Power, *A Problem from Hell*, 449.

¹³⁸ “Crisis in Kosovo:1999,” *Frontline* (New York: ABC News Productions, 2007), DVD.

Policymakers failed to address the unrest in Kosovo in the Dayton Peace Agreement. The peace agreement was vague and did not address whether Kosovo should have self-determination. Instead, the agreement reaffirmed the current Serbian borders. Albanian Kosovar fighters mobilized to form the KLA because they felt disregarded in the peace process and needed to protect their own interests.¹³⁹ The Dayton Peace agreement left many issues unsettled in addition to the problem of what to do with Kosovo. Specifically, it failed to address the prosecution of war criminals remaining after the Bosnia and Srebrenica crises. War criminals remained free in Serbia despite warnings from General Wesley Clark, who would later become NATO's Supreme Allied Commander. NATO peacekeeping forces did not chase down nationalist groups, which still thrived in Serbia, due to fear of disrupting the fragile peace in the region.¹⁴⁰ Viewed as a stabilizing leader, Milosevic remained in power much to the dismay of the Serbian people, many of whom were resentful from the war. To maintain order, Milosevic tightened his grip on dissenters and turned his attention to marginalizing Albanians in Kosovo, perhaps as a means to maintain public support among the Serbs. The situation in Kosovo quickly escalated as the KLA began to demand rights and Milosevic brutally retaliated against them.¹⁴¹ Policymakers also expressed concern that violence in Kosovo would undermine implementation of the Dayton Peace Agreement.¹⁴²

C. NATIONAL INTEREST: ESTABLISHING THE THREAT

The executive branch viewed stabilizing relations between Serbia and Kosovo as a priority of national interest from the beginning. As early as 1992, President George H. W. Bush identified the region as a hotspot in the infamous “Christmas Warning” when he stated that military action was warranted if Serbia ever initiated conflict in Kosovo. A

¹³⁹ Power, *A Problem from Hell*, 445.

¹⁴⁰ Power, *A Problem from Hell*, 443–44.

¹⁴¹ Power, *A Problem from Hell*, 444–45.

¹⁴² *U.S. Role in Kosovo: Hearing before the House International Relations Committee, House of Representatives*, 106th Cong., (February 10, 1999) (statement of Thomas Pickering, Undersecretary of State for Political Affairs).

year later, President Clinton reinforced the same statement.¹⁴³ Months prior to the NATO air campaign in March 1999, officials began sending the message to Congress that Kosovo was a national interest beyond humanitarian necessity. First, conflict in Kosovo jeopardized the progress that had already been made in Bosnia and the ongoing implementation of the Dayton Peace Accords. Second, the potential existed for the entire region to destabilize. Large refugee flows into already fragile neighboring countries such as Albania and Macedonia could extend the conflict as far Greece and Turkey. Third, it was in U.S. interest to reinforce democracy and human rights in the Former Republic of Yugoslavia (FRY). Lastly, NATO's credibility as an instrument of European security needed to be upheld.¹⁴⁴

Executive branch officials repeated the same national interests in various congressional hearings continuously up through the Rambouillet negotiations. Despite the fact that intervention in some form seemed inevitable by mid-March, a meeting of the House Armed Services Committee convened on March 17, 1999 to discuss if sending ground troops to Kosovo supported national security interest. Some in Congress believed military operations in the Balkans served no value to U.S. security, consumed valuable resources, was not worth the risk to life, and inhibited ability to fight “real” wars should the need arise.¹⁴⁵ Once more, U.S. Undersecretary of Defense for Policy, Walter Slocombe, outlined to the committee the “calculated cold-blooded national interests” aside from the humanitarian crisis at stake in Kosovo.¹⁴⁶ Most notably, he pointed to the situation in Kosovo as a crisis for European security in which NATO must maintain its

¹⁴³ *Crisis in Kosovo: Hearing Before the Senate Foreign Relations Committee*, Senate, 105th Cong., (May 06, 1998) (statement of Chairman Gordon H. Smith); Power, A Problem from Hell, 446.

¹⁴⁴ *International Relations Situation in Kosovo: Hearing Before the House International Relations Committee, House of Representatives*, 105th Cong., (July 23, 1998)(statement of Walter B. Slocombe, Undersecretary of Defense for Policy); *U.S. Role in Kosovo: Hearing before the House International Relations Committee, House of Representatives*, 106th Cong., (February 10, 1999) statement of Thomas Pickering, Undersecretary of State for Political Affairs).

¹⁴⁵ *U.S. Policy in the Balkans: Hearing Before the Armed Services Committee, House of Representatives*, 106th Cong., (March 17, 1999) (statement of Floyd Spence, Congressman of South Carolina), <http://www.c-span.org/video/?121855-1/nato-military-yugoslavia>.

¹⁴⁶ *U.S. Policy in the Balkans: Hearing Before the Armed Services Committee, House of Representatives*, 106th Cong., (March 17, 1999) (statement of Walter Slocombe, Undersecretary of Defense for Policy), <http://www.c-span.org/video/?121855-1/nato-military-yugoslavia>.

relevance. As an instrument of preserving European peace, NATO's failure to intervene in Kosovo would undermine its very principles.¹⁴⁷

Some questioned whether intervention in Kosovo was outside of NATO's intended purpose as a defensive alliance.¹⁴⁸ A week prior, Henry Kissinger told Congress that introducing forces was "an unprecedented extension of NATO authority."¹⁴⁹ The rebuttal given by Slocombe and General Clark provided justification for why intervention was within NATO purview despite its beginnings as a defensive policy tool. Slocombe's broad interpretation of Article V of the NATO treaty was that collective security was not confined to the security of the physical borders of its members, but also included protecting an intangible atmosphere of security in the region.¹⁵⁰ Clark spoke to the transformation of NATO throughout the past decade describing how the security requirements of its members forever changed after the collapse of the USSR and how adapting to the new strategic environment would be necessary to sustain credibility. He cited NATO's 1993 denial of flight operations supporting the UN in Bosnia and the recently established Partnership for Peace program, which provides consultation on security threats to non-NATO members in order to demonstrate the expansion of NATO's mission.¹⁵¹ Clark also testified to the fact that the process of NATO enlargement from Western to Eastern Europe was a vital interest. NATO was a force multiplier in Europe and provided critical access to bases, which was

¹⁴⁷ *U.S. Policy in the Balkans: Hearing Before the Armed Services Committee, House of Representatives*, 106th Cong., (March 17, 1999) (statement of Walter Slocombe, Undersecretary of Defense for Policy), <http://www.c-span.org/video/?121855-1/nato-military-yugoslavia>.

¹⁴⁸ *U.S. Policy in the Balkans: Hearing Before the Armed Services Committee, House of Representatives*, 106th Cong., (March 17, 1999) (statement of Walter Slocombe, Undersecretary of Defense for Policy), <http://www.c-span.org/video/?121855-1/nato-military-yugoslavia>.

¹⁴⁹ *The United States Role in Kosovo: Hearing Before the Committee on International Relations, House of Representatives*, 106th Cong., 4 (March 10, 1999)(statement of Henry Kissinger, President, Kissinger and Associates).

¹⁵⁰ *U.S. Policy in the Balkans: Hearing Before the Armed Services Committee, House of Representatives*, 106th Cong., (March 17, 1999) (statement of Walter Slocombe, Undersecretary of Defense for Policy), <http://www.c-span.org/video/?121855-1/nato-military-yugoslavia>.

¹⁵¹ U.S. Department of State, "Fact Sheet: NATO Partnership for Peace," FAS.org, accessed January 17, 2015. https://www.fas.org/man/nato/offdocs/us_95/dos950519.htm; *U.S. Policy in the Balkans: Hearing Before the Armed Services Committee, House of Representatives*, 106th Cong., (March 17, 1999) (statement of General Wesley Clark, NATO Supreme Allied Commander), <http://www.c-span.org/video/?121855-1/nato-military-yugoslavia>.

essential to the U.S. ability to fight two simultaneous theater wars. NATO provided the U.S. leverage on security issues.¹⁵² Former ambassador to the UN and well-known Georgetown professor, Jeane Kirkpatrick, told Congress NATO's credibility was in jeopardy and "lines that were so clear during the cold war have simply been washed away."¹⁵³

The national interest debate in Congress over Kosovo was significant for post-Cold War politics because NATO intervention strayed from international norms. Clinton did not need congressional approval to send troops to Kosovo; however, his policymakers were obligated to frame the national interests at stake. The "national interest" debate helped rally Congress, but it was not the decisive factor in the intervention. Kosovo was dubbed by some as "Clinton's War" because the executive branch took the lead as the situation unfolded.

Several events led up to the point of no return for Milosevic and left the Clinton administration no choice but to move forward with the use of force. Regardless of those opposed in Congress, the Clinton administration had already embarked on a campaign of systematic coercive diplomacy using the international community to their advantage and with Holbrooke as the poster man. The executive branch powered the decision-making and diplomatic process. The first attempt for a diplomatic solution was through the Contact Group, which began working with Milosevic in February 1998.¹⁵⁴ The international community, represented by the UN, repeatedly warned Milosevic by issuing UNSC resolutions 1160 and 1199. Neither of these resolutions threatened force, but they enabled NATO to threaten force if Serbia did not comply with them.¹⁵⁵ By June 1998, NATO planning included military actions to stabilize the region. In July 1998, Congress

¹⁵² *U.S. Policy in the Balkans: Hearing Before the Armed Services Committee, House of Representatives*, 106th Cong., (March 17, 1999) (statement of General Wesley Clark, NATO Supreme Allied Commander), <http://www.c-span.org/video/?121855-1/nato-military-yugoslavia>.

¹⁵³ *The United States Role in Kosovo: Hearing Before the Committee on International Relations, House of Representatives*, 106th Cong., 4 (March 10, 1999)(statement of Jeane Kirkpatrick, Levy Professor of Government, Georgetown University).

¹⁵⁴ *Crisis in Kosovo: Hearing Before the Senate Foreign Relations Committee, United States Senate*, 105th Cong., (May 06, 1998) (statement of Chairman Gordon H. Smith).

¹⁵⁵ Holzgrefe, "The Humanitarian Intervention Debate," 48–49.

was informed that although diplomacy was the preferred policy tool, NATO planning included a military option in Kosovo. Slocombe stated, “A decision to initiate NATO air action depends on whether diplomatic efforts fail to achieve positive results.”¹⁵⁶

The most critical part of the U.S. decision-making process on intervention took place from October 1998 through March 1999. After threatening NATO air strikes in October 1998, Holbrooke brokered an agreement with Milosevic to allow the Kosovo Verification Mission (KVM), to hold elections in Kosovo, and to comply with UN resolutions. The KVM deployed to Kosovo, but Milosevic continued to be difficult, and clashes between Serbian police and the KLA continued. January 15, 1999 became a turning point in the diplomatic process. Serbian forces massacred 45 Albanians from the town of Racak; the massacre received international attention. As a result, the Contact Group summoned Serbian and KLA officials to the negotiating table. The Rambouillet peace conference convened February 6, 1999.¹⁵⁷ The Clinton administration and military planners were prepared to use force depending on the outcome at Rambouillet. This conference was the last out for Milosevic, and refusing an agreement would back him into a corner. In reference to the peace negotiations, Kissinger said, “We are winking at the Albanians and saying, if you accept this, we will bomb the Serbs for you.”¹⁵⁸ On March 22, 1999, the U.S. sent Holbrooke in a last minute effort to allow Milosevic a way out.¹⁵⁹ The U.S. had expended all necessary means to meet its objectives in Serbia, and Milosevic did not demonstrate commitment to an end in violence on multiple occasions.

The Clinton administration’s clear cut coercive diplomatic process and preparatory statements to Congress had laid the foundation for armed intervention by the end of March 1999. National interest and moral imperative were also conveyed to the

¹⁵⁶ *International Relations Situation in Kosovo: Hearing Before the House International Relations Committee, House of Representatives*, 105th Cong., (July 23, 1998)(statement of Robert S. Gelbard, Special Representative of the President and the Secretary of State).

¹⁵⁷ Kim, *Kosovo Conflict Chronology: September 1998–March 1999* (CRS Report No. RL30127)(Washington, DC: Congressional Research Service, April 6, 1999), 2–3, 7–9; Power, *A Problem from Hell*, 446–47.

¹⁵⁸ *The United States Role in Kosovo: Hearing Before the Committee on International Relations, House of Representatives*, 106th Cong., 4 (March 10, 1999) (statement of Henry Kissinger, President, Kissinger and Associates).

¹⁵⁹ Kim, *Kosovo Conflict Chronology*, 16; “Crisis in Kosovo: 1999.”

American public prior to the intervention. Upon the commencement of airstrikes, President Clinton stated to the nation, “We act to protect thousands of innocent people...we act to prevent a wider war...we act to stand united with our allies for peace.”¹⁶⁰ Language such as this serves to inform the public and policymakers how intervention aligns with national interest and how it meets the moral criteria for humanitarian intervention.

In his autobiography, Clinton restated the objectives of the NATO intervention, “The bombing campaign had three objectives: to show Milosevic we were serious about stopping another round of ethnic cleansing, to deter an even bloodier offensive against innocent civilians in Kosovo, and, if Milosevic didn’t throw in the towel soon, to seriously damage the Serb’s military capacity.”¹⁶¹ Clinton had first articulated these same objectives in his speech to the nation on March 24, 1999, the first day of air strikes, and also emphasized the necessity to “demonstrate the seriousness of NATO’s purpose.”¹⁶² As with most engagements after Somalia, Clinton explained that the humanitarian intervention would not consist of boots on the ground to arouse public support.¹⁶³

Some claim policymakers utilized PDD-25 as a tool to avoid intervention in Rwanda, but for Kosovo, Clinton made sure to articulate how intervention aligned with the terms of the directive. Although PDD-25 does not discuss collaboration with NATO in depth, it provides insight into the Clinton administration’s perspective on peace enforcement operations. Clinton’s March 1999 speech explains how the PDD-25 intervention criteria aligned with objectives of OAF. The following themes are present in both PDD-25 and policymaker rhetoric leading up to OAF: national interest, moral imperative, risk to forces, consequences of inaction, partnership with allies, and

¹⁶⁰ Bill Clinton, (speech, Address to the Nation on Yugoslavia Strike, March 24, 1999), <http://www.cnn.com/ALLPOLITICS/stories/1999/03/25/clinton.transcript/>.

¹⁶¹ Clinton, *My Life*, 512.

¹⁶² Clinton, (speech, Address to the Nation on Yugoslavia Strike).

¹⁶³ Power, *A Problem from Hell*, 449.

probability of spreading regional conflict.¹⁶⁴ Prior to the intervention, the executive branch had constructed both national interest and moral imperative and conveyed them to both Congress and the public.

The use of the term genocide was less of an issue in Kosovo than it had been in Rwanda. Debate over the word was less problematic because the U.S. was going into Kosovo regardless after the diplomatic situation unfolded. Employing the term “genocide” would not have been a decisive factor in the U.S. decision for intervention, while in Rwanda the term genocide accompanied legal obligation to intervene in a situation that was not of national interest. The State Department authorized incidental use of the word genocide in phrases such as “indicators of genocide” ten days into the engagement.¹⁶⁵ The use of the term was less relevant for this humanitarian intervention, and most likely officials had learned from blatantly denying the term to the media over Rwanda.

D. CRITICS OF KOSOVO

Critics of U.S. objectives in the Balkans found other underlying reasons for U.S. intervention. Russia believed the U.S. was simply trying to expand NATO power. Russia’s Prime Minister, Yevgeny Primakov, turned his plane around while mid-route for a U.S. visit when Vice President Al Gore notified him of NATO air strikes.¹⁶⁶ Noam Chomsky, classifies the U.S. and its Western partners as “enlightened states.”¹⁶⁷ He points out the double standard that allows western states to violate sovereignty for humanitarian purposes, but prevents states not falling into the enlightened category from doing the same.¹⁶⁸ Other critics blamed the U.S. for exacerbating the refugee issue and causing civilian casualties by bombing.¹⁶⁹ Counter to this argument, the Office of the

¹⁶⁴ Clinton, (Address to the Nation on Yugoslavia Strike); President of the United States, *U.S. Policy on Reforming Multilateral Peace Operations*.

¹⁶⁵ Power, *A Problem from Hell*, 468.

¹⁶⁶ Clinton, *My Life*, 511.

¹⁶⁷ Noam Chomsky, *A New Generation Draws the Line: Kosovo, East Timor and the Standards of the West* (New York: Verso Books, 2000), 25.

¹⁶⁸ Chomsky, *A New Generation Draws the Line*, 25.

¹⁶⁹ Chomsky, *A New Generation Draws the Line*, 25; Power, *A Problem from Hell*, 462.

United Nations High Commissioner for Refugees (UNHCR) estimated that approximately 100,000 Albanians were displaced and approximately 135,000 had fled to other countries by the end of 1998. Shortly after their refusal to negotiate at Rambouillet, Serbians began ramping up attacks on Kosovars, and the UNHCR estimated 9,000 individuals were displaced in Kosovo over the course of two days.¹⁷⁰ Journalist Tariq Ali calls Kosovo an “act of triumphant imperialism.”¹⁷¹ Another perspective contends that the U.S. intentionally planned to transition NATO from a defensive alliance to a peace enforcement entity in order to challenge other European security efforts.¹⁷² One more suggested ulterior motive was that the U.S. needed to boost its military-industrial complex.¹⁷³

Most critics argue that Kosovo was all about NATO and nothing to do with humanitarianism. Humanitarianism was present, but by far the only consideration for intervention. NATO and U.S. credibility was at stake. NATO and the U.S. had already failed to follow through with its threat of air strikes in October 1998, and so it was left with no choice but to follow through on its second threat of air strikes after the failure of Rambouillet peace talks.

Supporters of U.S. intervention in Kosovo address some of these critics by providing evidence that Milosevic gave every indication that he intended to continue down the path of repressing ethnic Albanians in Kosovo. If nothing had been done, more Albanians could have lost their lives. Beginning in 1989, Milosevic removed Kosovo’s autonomy and expanded the Serbian police presence. Serbian propaganda accused ethnic Albanians of targeting ethnic Serbs. In the winter preceding OAF, the Serbs killed 3,000 Albanians and ousted approximately 300,000 from their homes in response to KLA attacks. Forty-five Albanians from the town of Racak were deliberately executed in

¹⁷⁰ Kim, *Kosovo Conflict Chronology*, 12.

¹⁷¹ Ali, “NATO’s Balkan Adventure,” 9.

¹⁷² Daya Kishan Thussu, “Legitimizing ‘Humanitarian Intervention’?: CNN, NATO, and the Kosovo Crisis,” *European Journal of Communication* 15 no. 345 (2000), 347, doi: 10.1177/0267323100015003005.

¹⁷³ Power, *A Problem from Hell*, 461; Thussu, “Legitimizing ‘Humanitarian Intervention’?” 352.

January 1999.¹⁷⁴ Repeatedly, Milosevic failed to be transparent with negotiators and diplomats, specifically demonstrated by the interaction with Holbrooke.¹⁷⁵ Milosevic refused entry into Kosovo for UN war crimes investigators seeking to inspect both Serbian and Albanian crimes. Seven months of negotiations, from September 1998 to March 1999, demonstrated U.S. and NATO resolve to find a diplomatic solution before resorting to air strikes.¹⁷⁶ Most telling, Milosevic had already set a precedent for ethnic cleansing just a few years earlier in Bosnia.

E. MEDIA: ESTABLISHING THE MORAL IMPERATIVE

Approximately 2,200 more journalists covered the war in Kosovo than in Vietnam.¹⁷⁷ Powerful media coverage shaped the perspectives of the American public and controlled the conceptualization of the war in the Balkans. Rapidly advancing communications technology extended the reach from governments to citizens through media coverage. Kosovo was unique because the media strategy was extremely coordinated amongst the NATO alliance. This strategy was systematic and controlled to ensure the appropriate message was channeled through reporters hanging around NATO headquarters.¹⁷⁸ Robert Lichter, president of the Center for Media and Public Affairs in DC, said, “To sell a war in a democracy when you’re not attacked, you have to demonise the leader or show that there are humanitarian reasons for going in.”¹⁷⁹ Going as far to equate the U.S. to a totalitarian state, Chomsky, a longtime critic of mainstream media and wartime propaganda, believed Kosovo news was exaggerated to mobilize public support to overshadow the government’s weak case for using force.¹⁸⁰ On the other hand, some reporters became personally attached to the cause. Journalists who had

¹⁷⁴ Power, *A Problem from Hell*, 445–446.

¹⁷⁵ “Crisis in Kosovo: 1999.”

¹⁷⁶ Kim, *Kosovo Conflict Chronology*, 5.

¹⁷⁷ Knightley, *The First Casualty*, 504.

¹⁷⁸ Knightley, *The First Casualty*, 502–4.

¹⁷⁹ Knightley, *The First Casualty*, 502.

¹⁸⁰ Chomsky, *A New Generation Draws the Line*, 95.

covered the Srebrenica incident just a few years earlier set out on a personal mission to prevent another tragedy in Kosovo.¹⁸¹

News coverage of the developing situation in Kosovo served to inform the world, but also justify NATO intervention. Justification for NATO intervention came across as a moral imperative and humanitarian initiative. Governments achieved the humanitarian check in the box by encouraging the broadcast of atrocity stories: “NATO needed evidence of ethnic cleansing and Serbian atrocity to convince the alliance of the moral rectitude of its humanitarian war and each ghastly murder, rape, act of pillage or arson that could be attributed to the Serbs helped demonise them.”¹⁸² Tariq Ali called this “atrocity news management (ANM).”¹⁸³ Equally accountable as the NATO spokespersons channeling biased information, CNN has been accused of broadcasting only one side of the story. News coverage failed to address legality and sovereignty concerns. Instead, it focused on Serb atrocities, glamorized military technology like the Tomahawk missile, and branded the KLA as freedom fighters.¹⁸⁴ In the media’s eyes, the gray areas often accompanied by civil wars were nonexistent. Serbs were bad and Kosovars were good; there was no in between.¹⁸⁵ This type of reporting shaped the opinions of audiences and support for the intervention.

Holocaust analogies were a common tactic to mobilize public opinion for humanitarian intervention. Part of the media’s justification included portraying Milosevic as an evil villain and comparing him to Hitler.¹⁸⁶ Milosevic was not only the perpetrator of mass murder, his typical modus operandi, as seen first-hand by Holbrooke, was to make promises to Western leaders to keep them out of his territory in the same way Hitler

¹⁸¹ Knightley, *The First Casualty*, 502.

¹⁸² Knightley, *The First Casualty*, 502.

¹⁸³ Ali, “NATO’s Balkan Adventure,” 13.

¹⁸⁴ Thussu, “Legitimizing ‘Humanitarian Intervention’?,” 352.

¹⁸⁵ Knightley, *The First Casualty*, 501.

¹⁸⁶ Knightley, *The First Casualty*, 501.

once did.¹⁸⁷ This tactic seemed practical; especially since the Balkans were the first region to experience noticeable ethnic cleansing in Europe since WWII.¹⁸⁸ Clinton drew parallels to the Holocaust in his speech to the nation on the first day of OAF, implying that the U.S. turned its head the other way during the Holocaust and that would not be allowed to happen again.¹⁸⁹

F. SUMMARY

A few characteristics make Kosovo stand out from the other case studies in this examination. The first is that this humanitarian intervention was planned in advance as a means to further U.S. strategic interest. The Clinton administration kept force as an option on the table from the beginning. The executive was engaged in a well-thought out process of coercive diplomacy far in advance of intervention. Coercive diplomacy culminated at the actual decision point to intervene, which took place after Milosevic's failure to respond to Rambouillet. The coercive escalation strategy was appropriate considering the background of the situation. Milosevic had been a thorn in the Clinton administration's shoe for quite some time and history had shown that he would continue on the path he was on. The second characteristic, which makes Kosovo unique, is the use of the media as means of applying pressure to policymakers and as an outlet for policymakers to make their case to audiences. NATO learned how to use the media to its advantage. The media role was more significant in this case study than the other two.

The most important factors tipping the scale toward intervention in this case are Kosovo's proximity to Europe, upholding NATO's credibility in providing European security, and Milosevic's history. Also assisting the decision was the fact that the U.S. had the air capability to conduct the intervention with minimal risk of casualties and political pressure from inaction in Rwanda and Bosnia earlier in the decade.

¹⁸⁷ Alan E. Steinweis, "The Auschwitz Analogy: Holocaust Memory and American Debates over Intervention in Bosnia and Kosovo in the 1990s," *Holocaust and Genocide Studies* vol 19 no. 2 (2005), 281, doi: 10.1093/hgs/dci023; "Crisis in Kosovo: 1999."

¹⁸⁸ Steinweis, "The Auschwitz Analogy," 276–77.

¹⁸⁹ Clinton, (Address to the Nation on Yugoslavia Strike); President of the United States, *U.S. Policy on Reforming Multilateral Peace Operations*.

Lastly, NATO intervention in Kosovo was the first of its kind, and served as an example of success for future policy actions. The U.S. led NATO in an intervention that had not been sanctioned by the UN. This was the first NATO operation that was offensive in nature. Twelve years later, NATO's air campaign in Libya shared some similarities.

IV. LIBYA

The UN Security Council press statement on Libya issued February 22, 2011 urged the Libyan government to live up to its “responsibility to protect its population.”¹⁹⁰ Intervention in Libya came more than a decade after Kosovo. Since Kosovo and other interventions of the 1990s, the international community continued to debate the concept of humanitarian intervention and some attempted to normalize it through the concept of responsibility to protect (R2P). For the U.S., two factors remained consistent in its humanitarian interventions since Kosovo. That is the presence of national interest and a moral imperative in U.S. operations. President Obama addressed the nation as the U.S. led Operation Odyssey Dawn in Libya transitioned to NATO control: “Mindful of the risks and costs of military action, we are naturally reluctant to use force to solve the world’s many challenges. But when our interests and values are at stake, we have a responsibility to act. That’s what happened in Libya over the course of these last few weeks.”¹⁹¹

This case study begins with a brief background on the uprising in Libya, an explanation of the relevant U.S. foreign policy picture at the time, and an analysis of the specific factors that influenced the U.S. decision-making process leading up to the commencement of Operation Odyssey Dawn on March 19, 2011. This chapter outlines the U.S. strategic interests at stake and the moral imperative that led to intervention in Libya. Supporting evidence shows that most U.S. policymakers, especially DOD officials, were initially opposed to intervention, but then changed course after a combination of developments within the international community and in Libya. Unlike Kosovo, which had the full attention of the Clinton administration months in advance, Libya was a last minute strategic choice following a turn of events over a short time period. Critical events in the timeline leading up to intervention include the rapid

¹⁹⁰ “Security Council Press Statement on Libya,” United Nations, February 22, 2011, <http://www.un.org/press/en/2011/sc10180.doc.htm>; “The Lessons of Libya: Responsibility to Protect.”

¹⁹¹ Barack Obama, “Remarks by the President in Address to the Nation on Libya” (speech, National Defense University in Washington, DC, March 28, 2011), <http://www.whitehouse.gov/photos-and-video/video/2011/03/28/president-obama-s-speech-libya#transcript>.

issuance of UNSCR 1973 under Chapter VII authorization, blatant threats and supporting action from Muammar Qaddafi to destroy his own people, pressure from allies to act, Arab League support, and indifference from major state actors such as Russia and China. Some congressional proceedings leading up to the use of force are still classified; however, available proceedings and literature show the Obama administration saw intervention as an opportunity and led the push for U.S. involvement. Intervention in Libya became an option after the unsuspecting alignment of the critical events listed above and of ideals, interests and capabilities.¹⁹² The tipping point in the direction of intervention took place on March 15 after Obama met with his advisors and decided to pursue a UN resolution that would legitimize the U.S. use of force against Qaddafi's forces in Libya. The end of this chapter discusses Libya's possible implications for the future and introduces humanitarian intervention under the construct of R2P.

A. BACKGROUND

Libya was not as important to the U.S. as other Arab nations like Egypt and Saudi Arabia, but it held some strategic significance because it had a history of state sponsored terrorism, nuclear aspirations, and initiating anti-West coalitions with other Arab nations. U.S. relations with Libya began to improve in 2003 when it dismantled its nuclear program and Qaddafi formed relationships with his neighbors across the Mediterranean. By 2010, the U.S. had trade and defense agreements with Libya and a routine of diplomacy. Despite these advances, Libya still repressed its own people. Disappearances of Qaddafi regime opposition were commonplace.¹⁹³

Protests in Libya began mid-February 2011 amidst the Arab Spring taking place in two of its neighboring countries. January 2011 marked the ousting Tunisia's president and the beginning of protests against Mubarak's regime in Egypt. The protests in Libya escalated into full-scale rebellion with clashes between Qaddafi's forces, mostly based in

¹⁹² *Assessing the Situation in Libya: Hearing Before the Committee on Foreign Relations, United States Senate*, 112th Cong., 1 (March 31, 2011) (statement of Hon. James B. Steinberg, Deputy Secretary of State, Department of State, Washington, DC).

¹⁹³ Christopher S. Chivvis, *Toppling Qaddafi: Libya and the Limits of Liberal Intervention* (New York: Cambridge University Press, 2014), 22–23.

Tripoli, and opposition protestors, mainly in Benghazi.¹⁹⁴ Qaddafi openly threatened a cleansing of his opposition, calling them “greasy rats.”¹⁹⁵ Rebels formed the National Transitional Council (NTC) on February 27 and took over Misrata, the third-largest city. Historical precedence and Qaddafi’s public threats established the credible expectation that he would use his more advanced military capabilities, including air assets, against the rebels and possibly civilians. On March 6, Qaddafi initiated a counter-offensive to quell the rebellion, gain back territory taken by rebel forces, and advance toward Benghazi.¹⁹⁶ His army had already and was preparing to launch attacks on heavily populated urban areas.¹⁹⁷ By March 13, Qaddafi’s forces had regained ground against the rebels and continued to push toward rebel-held Benghazi.¹⁹⁸ With Benghazi’s impending doom, the U.S. and the international community were at a decision point.¹⁹⁹

The UNSC passed resolution 1970 on February 26 freezing assets and establishing an arms embargo. Three weeks later UNSCR 1973 established a no-fly zone in Libyan air space and authorized member states to use “all necessary measures...to protect civilians” under Chapter VII.²⁰⁰ This phrase would empower the U.S. and its allies to conduct an extended intervention in Libya under NATO control, which ultimately led to regime change. Contrary to previous U.S. interventions such as Kosovo, a UNSCR mandate initiated operations by calling for a no-fly zone. Two days later, the

¹⁹⁴ Jeffrey H. Michaels, “Able But Not Willing: A Critical Assessment of NATO’s Libya Intervention,” in *The NATO Intervention in Libya: Lessons Learned from the Campaign*, ed. Kjell Engelbrekt, Marcus Mohlin, and Charlotte Wagnsson (New York: Routledge, 2014), 19.

¹⁹⁵ “Gaddafi Urges Violent Showdown and Tells Libya ‘I’ll Die a Martyr,’” *The Guardian*, February 22, 2011, <http://www.theguardian.com/world/2011/feb/22/muammar-gaddafi-urges-violent-showdown>.

¹⁹⁶ Michaels, “Able But Not Willing,” 19–20.

¹⁹⁷ Kjell Engelbrekt and Charlotte Wagnsson, “Introduction,” in *The NATO Intervention in Libya: Lessons Learned from the Campaign*, ed. Kjell Engelbrekt, Marcus Mohlin, and Charlotte Wagnsson (New York: Routledge, 2014), 5.

¹⁹⁸ Chivvis, *Toppling Qaddafi*, 53.

¹⁹⁹ *Successes and Failures of the U.S. and NATO Intervention in Libya: Hearing Before the Committee on Oversight and Government Reform, House of Representatives*, 113th Cong., (May 1, 2014)(statement of Daveed Gartenstein-Ross, Senior Fellow, Foundation for Defense of Democracies Adjunct Assistant Professor, Georgetown University), <http://oversight.house.gov/wp-content/uploads/2014/05/Gartenstein-Ross-Statement-5-1-Benghazi-Libya.pdf>.

²⁰⁰ United Nations Security Council (SC), Resolution 1973, “The Situation in Libya,” March 17, 2011, <http://unscr.com/en/resolutions/doc/1973>.

U.S. commenced Operation Odyssey Dawn. NATO, largely led by France and Britain, assumed control of the intervention 11 days after it began. Later, operations became controversial because some thought the continuation of operations led by NATO exceeded the intent of the UNSCR.²⁰¹

B. CONTEXTUAL FACTORS

This case study is the first to take place in the post-9/11 world order. Although the intervention in Libya was not direct operations in support of the branded “Global War on Terror,” this contextual factor is still worth noting. After 2001, U.S. foreign policy actions were largely justified in countering al-Qaeda and terrorism. This allowed policymakers to frame the intervention as a national interest because it would deter the type of environment in which al-Qaeda could thrive.²⁰² Additionally, the American public may not have discerned the intervention in Libya from other anti-terror campaigns in the Middle East.

The Arab Spring is another contextual factor weighing on the Libyan intervention. Dealing with the Arab Spring from a political and eventually military perspective was a balancing act for the U.S. Protests were simultaneously occurring in Egypt, Tunisia, Yemen, Bahrain, and Jordan. Despite the repressive governance of the region, the U.S. maintained strategic relationships in the Middle East both because of energy resources and to build partnerships for countering Islamic extremism and Iran.²⁰³ The Arab Spring required the U.S. to navigate cautiously through the uprisings in the Middle East so that it could support the spread of democratic values while also hoping for Western friendly follow-on regimes and continuing partners in the fight against terrorism.²⁰⁴ The manner

²⁰¹ Chivvis, *Toppling Qaddafi*, 4.

²⁰² *Successes and Failures of the U.S. and NATO Intervention in Libya: Hearing Before the Committee on Oversight and Government Reform, House of Representatives*, 113th Cong., (May 1, 2014)(statement of Daveed Gartenstein-Ross, Senior Fellow, Foundation for Defense of Democracies Adjunct Assistant Professor, Georgetown University), <http://oversight.house.gov/wp-content/uploads/2014/05/Gartenstein-Ross-Statement-5-1-Benghazi-Libya.pdf>.

²⁰³ Aidan Hehir, “Introduction: Libya and the Responsibility to Protect,” in *Libya: The Responsibility to Protect and the Future of Humanitarian Intervention*, ed. Aidan Hehir and Robert Murray (New York: Palgrave, 2013), 3.

²⁰⁴ Chivvis, *Toppling Qaddafi*, 20.

in which the U.S. responded to Libya had the potential to affect its relationships with key partners in the Middle East such as Egypt and Bahrain. If the U.S. allowed Qaddafi to move forward on Benghazi, the signal sent to other repressive governments is that it is acceptable to unleash the military on civilians. On the other hand, interference came with the unintended consequence of offending current relationships in Africa and the Middle East, if nations perceived the U.S. as overstepping its reach. Lastly, any perception of U.S. sponsorship of the Arab Spring could ultimately jeopardize interests in the region and relationships with new regimes resulting from the Arab Spring.²⁰⁵ For this reason, the endorsement of the Arab League eventually became a critical factor in the U.S. decision for intervention.

The Obama administration was in the process of drawing down from engagements in the Middle East and public opinion supported less involvement there.²⁰⁶ U.S. and its allies' involvement in Afghanistan and Iraq throughout the previous decade are also important considerations within the Libya context. Iraq, Afghanistan, and Iran were still on the foreign policy agenda and higher up than Libya.²⁰⁷ U.S. involvement in Libya could be, and later was, construed as another mission of regime change similar to Iraq. American public opinion was low from a decade of deployments to the Middle East, and a lot of money had been spent on operations there.²⁰⁸ Operations in Iraq and Afghanistan had become complicated and surfaced the realization that killing the enemy didn't always allow for political objectives to be met.²⁰⁹ Furthermore, The U.S. and NATO allies were still feeling the impact of the 2008 global financial crisis and defense

²⁰⁵ Kjell Engelbrekt, "Why Libya? Security Council Resolution 1973 and the Politics of Justification," in *Libya: The Responsibility to Protect and the Future of Humanitarian Intervention*, ed. Aidan Hehir and Robert Murray (New York: Palgrave, 2013), 49.

²⁰⁶ Chivvis, *Toppling Qaddafi*, 43.

²⁰⁷ Chivvis, *Toppling Qaddafi*, 31.

²⁰⁸ Chivvis, *Toppling Qaddafi*, 19–20, 43.

²⁰⁹ *Assessing the Situation in Libya: Hearing Before the Committee on Foreign Relations, United States Senate*, 112th Cong., 1 (March 31, 2011) (statement of Hon. Richard G. Lugar, U.S. Senator from Indiana).

budgets declined as a result.²¹⁰ Also of note, action in Libya came just a few months prior to Obama's announcement on a shift in strategic focus towards Asia.²¹¹

C. CIRCUMSTANCES FOR INTERVENTION

Several factors were instrumental in tipping the Obama administration in the direction of intervention. These factors include Qaddafi's imminent threat to the urban population of Benghazi, Arab League support for a no-fly zone, pressure from Britain and France, the prompt release of UNSCR 1973 with Chapter VII authorization, and indifference from major state actors such as Russia and China. First, Qaddafi was an imminent threat to his people. From the onset of the rebellion, he issued threats of forthcoming violence towards his people through the government newspaper and national television. The death toll was estimated at approximately 2,000 by the beginning of March and refugees flowed into Tunisia and Egypt.²¹² Qaddafi refused to comply with the first UN resolution. He began a military campaign to regain ground he had lost to the rebels using tanks, artillery, and air strikes.²¹³ As Qaddafi's troops marched toward Benghazi, the Obama administration had every reason to believe he was going to follow through with the threats on the people. If Qaddafi reached Benghazi, the estimated death toll was predicted at 100,000.²¹⁴ Pressure to act built up before he unleashed his military on opposition and civilians.

Second, the Arab League supported intervention. By March 12, the U.S. was still undecided about what to do in Libya, but official Arab League support for a no-fly zone added another reason to intervene. Of note, comments from Secretary of Defense, Robert Gates, and the official White House statement implied that the Obama administration was

²¹⁰ Michaels, "Able But Not Willing," 18.

²¹¹ Chivvis, *Toppling Qaddafi*, 43.

²¹² Robert A. Pape, "When Duty Calls: A Pragmatic Standard of Humanitarian Intervention," *International Security* 37, no. 1 (Jul 2012), 64–65, proquest ID: 1283634702.

²¹³ Chivvis, *Toppling Qaddafi*, 32–35.

²¹⁴ Pape, "When Duty Calls," 64.

still deliberating over what action to take despite the Arab League vote.²¹⁵ However, Arab League support was undoubtedly a driving force, possibly the most important influence, in pressuring the international community and Obama to act. The Arab League had not asked for Western intervention on another Arab League nation before. Additionally, Bahrain was another strategic issue, which was evolving simultaneously with Libya, for both the U.S. and the Arab League. Saudi Arabia and the UAE helped Bahrain contain its protests, while the U.S. remained silent because of its interests there. The league disliked Qaddafi and saw Libya as a separate issue from Bahrain. Arab support meant the U.S. was free to act and opened up an opportunity to enhance U.S. reputation in the region. It added momentum to the U.S. discussion on what to do.²¹⁶

Third, France and Britain pressured Obama to act. The French President, Nicolas Sarkozy, and Britain's Prime Minister, David Cameron, were more forthcoming in their rhetoric about a no-fly zone and intervention than Obama. France and Britain led the charge for intervention; they had their own set economic and security concerns to act upon. France recognized the NTC as an official body within Libya before anyone else. They sent a joint letter to the European Union (EU) calling for the removal of Qaddafi and the start of NATO planning. With France and Britain rallying the rest of Europe, the U.S. was in a position to make an impact with a fairly low cost in resources.²¹⁷ Sarkozy and Cameron also facilitated UNSCR 1973 in partnership with Lebanon.²¹⁸ NATO began discussions on Libya February 25, but made no serious plans. NATO intervention was unwelcome by the Arab world, and its role remained unclear while Britain and France, and later the U.S., did the heavy lifting.²¹⁹

²¹⁵ “Arab League Backs Libya No-Fly Zone,” *BBC*, March 12, 2011, <http://www.bbc.co.uk/news/world-africa-12723554>; Ethan Bronner and David E. Sanger, “Arab League Endorses No-Flight Zone Over Libya,” *New York Times*, March 12, 2011, <http://www.nytimes.com/2011/03/13/world/middleeast/13libya.html?pagewanted=all&r=0>.

²¹⁶ Chivvis, *Toppling Qaddafi*, 54–55.

²¹⁷ Chivvis, *Toppling Qaddafi*, 32–35.

²¹⁸ Chivvis, *Toppling Qaddafi*, 56.

²¹⁹ Michaels, “Able But Not Willing,” 20, 23.

Lastly, Russia and China abstained from voting on UNSCR 1973. On March 15, Obama asked UN Ambassador Susan Rice to push for a more aggressive resolution at the UN.²²⁰ The UN adopted resolution 1973 on March 17. It was significant because it authorized member states to use force and established a no-fly zone. By Keohane's definition, the intervention would be considered an authorized one because of the Chapter VII resolution.²²¹ In a departure from norms, both Russia and China abstained in the vote rather than veto. Both nations routinely supported sovereignty over intervention.²²² Russia had minimal interests in Libya and its focus was on entering the World Trade Organization (WTO). Later, Russia's military and economic ties with Syria would contribute to nonintervention there. Through their abstention in the vote, Russia and China demonstrated subtle support for the situation.²²³

D. THE INTERNAL DEBATE

The bulk of the U.S. decision-making process took place mid-February through Mid-March of 2011. When the situation first unfolded, policymakers did not want to get involved.²²⁴ Up until a few days before operations began, Secretary of State, Hillary Clinton, was telling European allies that the U.S. would not intervene.²²⁵ Moral imperative to stop the slaughter of civilians in Benghazi combined with the strategic interests in a critical geopolitical region caused those at the top to reconsider quickly, especially in light of the recent international support.²²⁶

The DOD was skeptical of intervention. Gates and Chairman of the Joint Chiefs of Staff, Admiral Mike Mullen raised valid concerns about objectives. If the goal was to stop Qaddafi from murdering his people, more than simply a no-fly zone would be needed. The U.S. needed to conduct direct air strikes on Qaddafi's forces in hopes of

²²⁰ Chivvis, *Toppling Qaddafi*, 59.

²²¹ Keohane, "Introduction," 1.

²²² Engelbrekt, "Why Libya?" 51.

²²³ Chivvis, *Toppling Qaddafi*, 60–61.

²²⁴ Engelbrekt, "Why Libya?" 49.

²²⁵ Chivvis, *Toppling Qaddafi*, 55.

²²⁶ Engelbrekt, "Why Libya?" 49.

deterring them from moving forward.²²⁷ Gates opposed military action in Libya because of possible unintended consequences that accompanied regime change or lack thereof in Libya. He believed the political objectives in Libya were unclear, an information gap existed about the capabilities of the rebels, attacking another Muslim country could hurt U.S. reputation, and U.S. resources needed to be spent on higher priority operations. James Clapper, the Director of National Intelligence, also warned that Libya could become a broken country after intervention.²²⁸

Some in the Obama administration sided with Gates, while others argued for intervention. Remaining veterans from the Clinton administration still used the Balkans and Rwanda in considerations on humanitarian intervention. Rice was one of the Clinton era advocates that led the argument for intervention. She believed using force to help Muslims would help U.S. reputation in the region. Samantha Power, the National Security Council (NSC) Director for Multilateral Affairs, provided Obama with a full range of options, but personally favored intervention.²²⁹ A Congressional Research Service (CRS) report also indicated that Obama entertained a full range of options throughout the crisis; he was not set on a specific policy action in the beginning.²³⁰

The U.S. supported the ousting of Qaddafi, but opposed its own involvement in military intervention until approximately March 15 after Obama had spoken with Secretary Clinton, who supported intervention, and he met with his NSC.²³¹ Images of Qaddafi's forces closing in on Benghazi to murder his own people made the decision urgent and established the moral justification for intervention. The new development of Arab support removed some of the previous reservations held by those opposing intervention. Strategically, the U.S. could not be seen sitting on the sidelines as the international community engaged, especially at the risk of appearing too inhibited by Iraq

²²⁷ Chivvis, *Toppling Qaddafi*, 57.

²²⁸ Chivvis, *Toppling Qaddafi*, 45–47.

²²⁹ Chivvis, *Toppling Qaddafi*, 49–52.

²³⁰ Jeremiah Gertler, *Operation Odyssey Dawn (Libya): Background and Issues for Congress*, (CRS Report No. R41725)(Washington, DC: Congressional Research Service, March 30, 2011), 2.

²³¹ Chivvis, *Toppling Qaddafi*, 58.

and Afghanistan.²³² Additionally, this was an opportunity for the U.S. to deter other leaders in the region from doing the same.²³³ Obama had personally kept the Libya debate open in the preceding weeks. With the impending humanitarian crisis and amount of international support, Obama directed Rice on March 15 to pursue a bold UN resolution that would permit the U.S. to conduct air strikes on Qaddafi's forces.²³⁴ This was the tipping point towards humanitarian intervention.

1. Congress

Congressional documents leading up to the commencement of air strikes on March 19 are largely classified. Support for a humanitarian intervention varied in Congress. Congress voted to support a no-fly zone on March 1, and the Obama administration consulted Congress the day before it began strikes in Libya.²³⁵ Some members believed strategic interests were at stake, while others believed the Obama had stepped out of his lane to conduct a military operation with unclear objectives. Once air strikes began, the debate in Congress centered on when to end the mission or how to hand it over to NATO.

Those in Congress who opposed intervention argued that national interest was not at stake. They claimed Obama had exceeded his authority as Commander-in-Chief by expending resources with no clear objectives. Instead, involvement in Libya risked unintended consequences and the same mission creep that had occurred in Afghanistan. It would further strain the U.S. military already engaged in two other Middle East operations and could undermine the existing commitments of European allies participating in those operations.²³⁶ Intervention in Libya did not contribute to the

²³² Chivvis, *Toppling Qaddafi*, 59.

²³³ Chivvis, *Toppling Qaddafi*, 52.

²³⁴ Chivvis, *Toppling Qaddafi*, 58–59.

²³⁵ *Assessing the Situation in Libya: Hearing Before the Committee on Foreign Relations, United States Senate*, 112th Cong., 1 (March 31, 2011) (statement of Hon. James B. Steinberg, Deputy Secretary of State, Department of State, Washington, DC).

²³⁶ *Assessing the Situation in Libya: Hearing Before the Committee on Foreign Relations, United States Senate*, 112th Cong., 1 (March 31, 2011) (statement of Hon. Richard G. Lugar, U.S. Senator from Indiana).

overall foreign policy picture in the Middle East. Additionally, those against intervention believed the U.S. and its partners lacked clarity on whether the intervention aimed for regime change and also what the follow on political military arrangement would be for the opposition. UN resolution 1973 had not called for regime change.²³⁷

Those members of Congress whom supported the Obama administration argued the case for intervention by outlining U.S. strategic interests. The U.S. “role as an anchor of global security and advocate for human freedom,” was called a national interest.²³⁸ Participation in the multilateral effort would positively impact stability in North Africa and the Middle East by countering extremism. Libya could ultimately be a win for U.S. foreign policy in the long term.²³⁹ The humanitarian threat was imminent based upon Qaddafi’s track record and blatant language. If left unchecked, a humanitarian disaster beginning with an attack on Benghazi would have unfolded. A humanitarian disaster in Libya could disrupt the ongoing transitions in Tunisia and Egypt, the democratic ambitions in the region, and encourage other repressive regimes to use violence in order to maintain power. Furthermore, the U.S. had a vital interest in facilitating the credibility of the UN and its role to promote global security.²⁴⁰

Early in the crisis, Senators John McCain and Joe Lieberman argued for the ousting of Qaddafi in order to prevent a lengthy civil war and humanitarian disaster. They argued if Libya became a failed state, it could become a safe haven for violent extremists. Failure to act sends the wrong message to other repressive regimes that it is acceptable to use violence to suppress peaceful protests. Both senators believed the combination of humanitarian and strategic situations required intervention: “The United States must not

²³⁷ “Speaker Boehner Letter to President Obama on Military Action in Libya,” March 22, 2011, <http://www.speaker.gov/press-release/speaker-boehner-letter-president-obama-military-action-libya>.

²³⁸ *Libya: Defining U.S. National Security Interests, Hearing Before the Committee on Foreign Affairs, House of Representatives*, 112th Cong., 1 (2011) (statement of Congressman Howard Berman, ranking member).

²³⁹ *Assessing the Situation in Libya: Hearing Before the Committee on Foreign Relations, United States Senate*, 112th Cong., 1 (March 31, 2011) (statement of Hon. John F. Kerry, U.S. Senator from Massachusetts).

²⁴⁰ *Assessing the Situation in Libya: Hearing Before the Committee on Foreign Relations, United States Senate*, 112th Cong., 1 (March 31, 2011) (statement of Hon. James B. Steinberg, Deputy Secretary of State, Department of State, Washington, DC).

be passive at this critical moment in history. From Bosnia to Rwanda, we know that the international community has in the past been too slow to react to situations like the one unfolding in Libya – with awful and unspeakable costs in human life. For both moral and strategic reasons, we must not repeat this mistake.”²⁴¹

E. MISSION IN TRANSITION

The transition of Operation Odyssey Dawn to NATO’s Operation Unified Protector on March 31 was controversial. NATO had initiated military planning in February, but its role in the operation was unclear as the U.S. began hostilities and after the UN resolution escalated the situation with a Chapter VII resolution. The spectrum of conflict was moving farther away from what NATO thought would be its original involvement of evacuation and humanitarian operations. The Arab League did not want NATO involved, France feared undermining Arab support, Germany opposed the intervention from the beginning, and Turkey voiced its skepticism over Western motives.²⁴² Allowing NATO to lead a military operation in Africa would set a new precedent, but it wouldn’t be the first time the Alliance acted outside of its physical borders on behalf of European security.

Both the U.S. and Britain supported a NATO takeover for legitimacy purposes and because it had experience doing similar operations. Eventually, a smaller coalition within NATO evolved and did most of the work. Those in disagreement sat on the sidelines, but still voiced support so as to appear unified. NATO assumed the U.S. would maintain its level of military commitment from the beginning, but the U.S. insisted on sharing the burden.²⁴³ The level of U.S. commitment diverged from the role it had played in previous peace enforcement operations.

Debate over whether NATO’s Operation Unified Protector exceeded UNSCR 1973 surfaced. Some thought operations should be strictly defensive, limited to

²⁴¹ “Statement by Senators McCain and Lieberman Regarding the Situation in Libya,” March 04, 2011, <http://www.mccain.senate.gov/public/index.cfm/press-releases?ID=826d50c1-d891-a303-ca02-c6714dd50c30>.

²⁴² Michaels, “Able But Not Willing,” 23–25.

²⁴³ Michaels, “Able But Not Willing,” 25–27.

protecting civilians and maintaining rebel held positions. Others saw the NATO operation as an offensive war of regime change that stepped out of bounds. Obama and Cameron had voiced for the removal of Qaddafi, but regime change as a military action was a side effect of the operation.²⁴⁴ Jeffrey Michaels claims that NATO's success is often attributed to the regime change and that "a coalition under the auspices of the Alliance was able to transform the mission from a defensive to an offensive one, albeit with the silent approval of reluctant members."²⁴⁵ The objective was to stop Qaddafi's forces from killing civilians and if Qaddafi happened to fall during U.S. or NATO intervention, all the better.

The transition to NATO is important to examine because the shift required Obama to substantiate the extent of U.S. involvement in Libya for a second time; this time for the NATO operation. Ivo Daalder, U.S. ambassador to NATO, headed the diplomatic effort to transition the intervention to NATO. Obama addressed the nation on March 28 to inform the American people that the U.S. had accomplished its goals and focused its "unique capabilities on the front end of the operation."²⁴⁶ Now, the U.S. would transfer responsibilities to NATO. He made a point to emphasize that the U.S. would play a supporting role "including intelligence, logistical support, search and rescue assistance, and capabilities to jam regime communications."²⁴⁷

F. IMPLICATIONS FOR THE FUTURE

Initial military objectives were met by the intervening coalition. They maintained an arms embargo, created and maintained a no-fly zone, and helped protect Libya's population. The effects of Libya are still unfolding and so the accomplishment of political objectives is more difficult to measure. One of the major strategic reasons for intervention was to set an example to other regimes that might repress their populations among the Arab Spring. This is also difficult to measure, but it is possible that Assad took

²⁴⁴ Michaels, "Able But Not Willing," 24–27.

²⁴⁵ Michaels, "Able But Not Willing," 32.

²⁴⁶ Obama, "Remarks by the President in Address to the Nation on Libya."

²⁴⁷ Obama, "Remarks by the President in Address to the Nation on Libya."

the intervention in Libya into his calculations as he repressed his population.²⁴⁸ Additionally, the intervention was less costly than the previous NATO air campaign in Kosovo.²⁴⁹

The intervention in Libya had implications for the future, and some of its effects are yet to be measured. U.S. analysts thought the Arab Spring undermined the jihadist narrative. On the contrary, al-Qaeda thought the unrest worked to the group's advantage. Looking at the present situation in Libya, extremist groups have been able to exploit the Libyan chaos by training fighters there and claiming weapons from abandoned caches. Gartenstein-Ross classifies the NATO intervention in Libya as a "strategic setback" because of its unintended consequences.²⁵⁰ The beheadings of 21 Egyptians by the Islamic State in Libya serve as the most current evidence of Islamic extremists exploiting the disorganization there.

NATO was able to claim Libya a success. The intervention served as a much needed ego boost for NATO, which had experienced recent setbacks. Participation in Afghanistan and Iraq raised differences amongst the allies and proved costly at a time when defense budgets were strained. The Alliance had also grown in members, and so taking the lead on any military operations demonstrated it could overcome internal disagreements. Despite these hurdles, the intervention in Libya reassured NATO and external audiences that it was still capable of conducting a successful military operation and acting as an instrument of the UNSC.²⁵¹

Lessons learned from other interventions, to include Kosovo, impacted the concept of operations for Libya. Historically, the U.S. preferred to be in full command of peace enforcement operations involving U.S. troops as noted in PDD-25²⁵² Unlike the

²⁴⁸ Chivvis, *Toppling Qaddafi*, 174–76.

²⁴⁹ Chivvis, *Toppling Qaddafi*, 177.

²⁵⁰ *Successes and Failures of the U.S. and NATO Intervention in Libya: Hearing Before the Committee on Oversight and Government Reform, House of Representatives*, 113th Cong., (May 1, 2014)(statement of Daveed Gartenstein-Ross, Senior Fellow, Foundation for Defense of Democracies Adjunct Assistant Professor, Georgetown University), <http://oversight.house.gov/wp-content/uploads/2014/05/Gartenstein-Ross-Statement-5-1-Benghazi-Libya.pdf>.

²⁵¹ Chivvis, *Toppling Qaddafi*, 187–88, 192.

²⁵² President of the United States, *U.S. Policy on Reforming Multilateral Peace Operations*.

NATO intervention in Kosovo, the U.S. pressured partner nations such as France and Britain to bear a heavier burden. Policymakers wanted the U.S. military role to be limited.²⁵³ Obama spoke about cutting costs and sharing the burden in his address to the nation.²⁵⁴ The U.S. took a “lead from behind approach,” asking its allied partners to carry most of the weight.²⁵⁵ Sharing the burden was a model that diverged from previous U.S. missions. Those who believed the U.S. should have taken a more active role claim the lack of U.S. participation in NATO’s Operation Unified Protector sent a signal that it would be okay if allies sit the next one out.²⁵⁶

In keeping with the trend in U.S. interventions, Obama kept his promise to the American public that the intervention in Libya would be conducted without putting troops on the ground and achieving objectives through air power.²⁵⁷ Both the preference for air power and sharing the burden in Libya could have implications on future operations and will most likely continue to be seen in U.S. strategic decisions.²⁵⁸ The current U.S. fight against the Islamic State has been one from the air and employing the help of allies. Also, the U.S. has taken a back seat in the current negotiations between Russia and Ukraine most likely in an attempt to empower European allies to take more responsibility. This form of limited intervention helps keep both political risks and taxpayer costs low for the U.S.²⁵⁹

Neither the U.S. nor NATO engaged in post-conflict planning for Libya. The intention of the intervention was not one of nation building. Libya is unique because there was no post-intervention plan for continued peacekeeping operations, training of

²⁵³Chivvis, *Toppling Qaddafi*, 4–5.

²⁵⁴ Obama, “Remarks by the President in Address to the Nation on Libya.”

²⁵⁵ Hehir, “Introduction: Libya and the Responsibility to Protect,” 7.

²⁵⁶ Chivvis, *Toppling Qaddafi*, 198.

²⁵⁷ Obama, “Remarks by the President in Address to the Nation on Libya.”

²⁵⁸ *Assessing the Situation in Libya: Hearing Before the Committee on Foreign Relations, United States Senate*, 112th Cong., 1 (March 31, 2011) (statement of Hon. James B. Steinberg, Deputy Secretary of State, Department of State, Washington, DC).

²⁵⁹ Chivvis, *Toppling Qaddafi*, 199.

forces, or advising the new government.²⁶⁰ The intervention in Libya was somewhat of a last minute decision, and the U.S. wanted to keep its involvement extremely limited. The reason for the lack of post-conflict engagement might be attributed to an overall pull back after disjointed nation building efforts in Iraq and Afghanistan, conservation of resources, or a policy shift toward spreading the burden more evenly.

G. RESPONSIBILITY TO PROTECT

The UN has been fine tuning the concept of R2P since its acceptance at the World Summit in 2005. After the inconsistent response to humanitarian crises throughout the 1990s, Gareth Evans spearheaded the concept in 2000 during the International Commission on Intervention and State Sovereignty (ICISS). His purpose was to develop a norm with specific criteria, which clearly outlined the global community's right to intervene in certain humanitarian circumstances, how and when intervention should occur, and by whose authority.²⁶¹ Although the concept in name was adopted by the UN and appears in several resolutions, it is not officially codified.²⁶² R2P when requiring the use of force is exercised through issuance of a Chapter VII UNSCR; however, powerful nations may use it in their justification to meet their own interests. Libya is considered by some, not all, as an example of R2P in action.

Whether Libya is a successful example of R2P is debatable. Supporters praised Libya as a R2P success story and claimed that it marked a shift in UNSC outlook.²⁶³ Others such as Tom Keating argue that the abstentions of Russia, China, India, Brazil, and Germany for UNSCR 1973 reflect strategic interests and are not the result of a more amicable outlook towards R2P. As the implementation of UNSCR 1973 shifted to NATO, these nations became more concerned that the intervention was outside of NATO's lane and focused on removing the Qaddafi regime rather than saving

²⁶⁰ Chivvis, *Toppling Qaddafi*, xiii.

²⁶¹ Gareth Evans and Mohamed Sahnoun, "The Responsibility to Protect," *Foreign Affairs* 81, no. 6 (Dec 2002): 99, 110, <http://www.jstor.org/stable/20033347>.

²⁶² Hehir, "Introduction: Libya and the Responsibility to Protect," 6.

²⁶³ Hehir, "Introduction: Libya and the Responsibility to Protect," 6.

civilians.²⁶⁴ David Rieff's *New York Times* article "R2P, R.I.P" claims the subsequent air support for the rebellion "has done grave, possibly even irreparable, damage to R2P's prospects of becoming a global norm."²⁶⁵ He claims Western states used R2P to justify their policy of regime change and extension of NATO's mission in Libya beyond protecting civilians. These skeptics claim the abuse of R2P in Libya turned Russia and China off towards any possibility of UN intervention in Syria.²⁶⁶ However, Russia's relationship with Syria would've precluded them from supporting a UNSCR regardless of their thoughts on Libya. Christopher Chivvis counters Rieff's stance by saying Russia and China will continue to block intervention for their own purposes and not because they feel NATO used R2P as an excuse for regime change in Libya. There is little evidence to suggest NATO's intention was to mislead other nations by employing the construct of R2P.²⁶⁷

H. SUMMARY

The U.S. intervened in Libya due to a last minute alignment of the stars. The tipping point toward intervention occurred March 15, only four days before air strikes began. Intervention was a last minute strategic choice of Obama's inner circle that was made possible by Arab League support, UN authorization, pressure from France and Britain, indifference from Russia and China, and a clear moral imperative. Libya's location, interest from the international community, and the larger context of the Arab Spring made this a strategic situation that the U.S. believed it could use to their advantage.

It is yet to be seen, but expected that this intervention will have implications for future U.S. and NATO interventions. Obama's insistence on sharing the burden and the lack of post-conflict planning may mark a larger shift in foreign policy on humanitarian

²⁶⁴ Tom Keating, "The UN Security Council on Libya: Legitimation or Dissimulation?" in *Libya: The Responsibility to Protect and the Future of Humanitarian Intervention*, ed. Aidan Hehir and Robert Murray (New York: Palgrave, 2013), 162–63.

²⁶⁵ David Rieff, "R2P, R.I.P," *New York Times*, November 7, 2011, <http://www.nytimes.com/2011/11/08/opinion/r2p-rip.html?pagewanted=all>.

²⁶⁶ Rieff, "R2P, R.I.P."

²⁶⁷ Chivvis, *Toppling Qaddafi*, 178–79.

interventions. The intervention also has implications for NATO. This was the second time NATO led a military operation to implement a UNSCR outside of its physical region. Some are still debating whether NATO's Operation Unified Protector should be considered a success or failure. The effects of this intervention are still revealing themselves as shown by the unintended chaos that has surfaced in Libya.

V. CONCLUSION

The purpose of this thesis was to understand how the U.S. makes the case to intervene or refrain from humanitarian intervention in the Post-Cold War era. This examination of humanitarian intervention reviewed the foreign policy context and debate within the U.S. government across three case studies: Rwanda, Kosovo, and Libya. Each case study revealed the role of national interest and moral imperative in driving policymakers to the tipping point at which they made the final determination to use or refrain from military force. Both national interest and the desire to end human suffering are incentives for intervention and one may be stronger than the other in any given situation. In some cases neither may be strong enough to warrant military force.²⁶⁸

Humanitarian intervention in Rwanda was never a policy option for the U.S. due to the lack of national interest. Moral outrage in the public and the media was not strong enough to pressure the Clinton administration to take action. It became very difficult for U.S. decision makers to constitute a strategic interest in Africa after the 1993 events in Somalia. Therefore, the tipping point in the direction of nonintervention occurred after U.S. involvement in Somalia.

Kosovo is a clear demonstration of the U.S. decision process on humanitarian intervention when strategic interests are involved. Unlike Rwanda, the Clinton administration engaged in a year-long strategy of coercive diplomacy culminating in a NATO led humanitarian intervention. This was a purposeful intervention to serve U.S. interests. The media served as a valuable tool for policymakers to convey national interest and moral imperative to domestic and international audiences. The tipping point in the direction of intervention was determined by the outcome of the February 1999 peace negotiations at the Rambouillet conference.

Libya was a by-chance intervention in which a strategic opportunity presented itself to the U.S. after a spontaneous series of events. Several factors enabled the U.S. to take action without risking reputation damage in the international community.

²⁶⁸ Mason and Wheeler, “Realist Objections to Humanitarian Intervention,” 95.

Policymakers had to convey to the public and Congress how intervention in Libya served as vital interest, although none was overly apparent.²⁶⁹ The moral imperative to act in Libya was time sensitive, so explaining it as a national interest was a fairly unencumbering task. The tipping point toward intervention in Libya took place March 15, just four days before the U.S. began air strikes, when President Obama made the decision to push for a robust UNSCR that would empower the U.S. to use all necessary means to stop Qaddafi.

There are two broad conclusions that can be drawn from this study. The first is that the U.S. decision-making process in humanitarian interventions is contingent upon so many factors that each case must be viewed in the context of its unique circumstances. Developing a consistent norm or framework of criteria that applies to all humanitarian interventions is nearly impossible because of this. The second is that U.S. involvement in interventions almost always centers on a strategic interest and is never strictly humanitarian. Kissinger and Baker refer to this as “pragmatic idealism.”²⁷⁰

The R2P concept evolved from the humanitarian crises of the 1990s and some equate it to humanitarian intervention renamed. Considering this study, it is unlikely that R2P will ever become codified by the international community in the future because each case of humanitarian intervention is dependent upon the strategic interests of stakeholders. Robert Murray captures this idea well by arguing “the strategic calculations states make remain largely unaltered by the rise of human security and its most prominent manifestation, R2P.”²⁷¹

²⁶⁹ Kissinger and Baker, “Grounds for U.S. Military Intervention.”

²⁷⁰ Kissinger and Baker, “Grounds for U.S. Military Intervention.”

²⁷¹ Hehir, “Introduction: Libya and the Responsibility to Protect,” 9.

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